

Intellectual Property Regulations, 2022

INTELLECTUAL PROPERTY ACT, 2021

INTELLECTUAL PROPERTY REGULATIONS, 2022

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IN EXERCISE of the powers conferred on the Minister under section 223 of the Intellectual Property Act, 2021, these Regulations are made.

1. Name

These Regulations may be cited as the Intellectual Property Regulations 2022 and shall come into operation immediately it is signed by the Minister and gazetted.

2. Form

1. The forms referred to in these Regulations are the forms set out in the First Schedule and any subsequent schedules as may be determined.
2. Notwithstanding sub-regulation (1), the Registrar General may direct or permit the modification of any form where he or she deems it fit.
3. A form and the documents and drawings filed with it shall be made of strong, pliable, smooth and durable A4 paper which shall be so presented as to;
 - (a) allow for direct reproduction in an unlimited number of copies; and
 - (b) indicate clearly the matters to which they relate.
4. All sheets filed with a form shall be free from cracks, creases and folds and only one side of a sheet shall be used, except otherwise specified.

3. Fees

1. The fees set out in the Second Schedule shall be the prescribed fees for purposes of these Regulations.
2. Any fee paid in error may be refunded.

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4. Interpretation

1. In these Regulations unless the context otherwise provides.

“Act” means the Intellectual Property Act 2021 of The Gambia;

“Address for service” means the address for service within The Gambia which is stated in the intellectual property rights application form;

“Agent” means an agent appointed under section 4(i) of the Act;

“Court” means the High court;

“Minister” means the minister of justice.

2. A word or phrase not specifically defined in these Regulations but defined in the Act shall have the meaning assigned to it in the Act.

5. Opening Of Accounts

1. GIPO may open one or more separate bank accounts for funds that it receives as security cost, transmittal and any other fees.
2. All funds described in paragraph (1) shall be paid into the designated account.

6. Official Opening

GIPO shall be opened to the public each day, other than Saturday, Sunday or public holiday, from 8:00a.m. to 4:00 p.m. or during the official working hours as may determine by the Government of The Gambia.

7. Language

1. All applications made under the Act or these Regulations shall be in English.

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2. A document forming part of an application or submitted to the Registrar General which is in a language other than English shall be accompanied by a certified English translation.
3. A translation submitted to the Registrar General pursuant to sub-regulation (2) is presumed to be complete and accurate.
4. Notwithstanding sub-regulation (3)
 - (a) any interested party may adduce admissible evidence at any time to rebut the presumption in favor of a translated document; or
 - (b) The Registrar General may by notice in writing sent to the applicant or agent at any time, require a translation of the document to be certified to his or her satisfaction.

8. Signed Documents

1. A document purported to be signed on behalf of a corporation shall be signed by a director, secretary or any other officer of the corporation who satisfies the Registrar General that he or she is authorised to sign it.
2. A document purported to be signed on behalf of a partnership shall contain the full names of all the partners and shall be signed by one or more of them or by any other person who satisfies the Registrar General that he or she is authorised to sign it.
3. A document purported to be signed on behalf of any other unincorporated association shall be signed by any person who satisfies the Registrar General that he or she is authorised to sign it.

9. Priority Declaration

1. A priority declaration under the Act shall state:
 - (a) the date of the earlier application;
 - (b) the number of the earlier application, if known; and
 - (c) the State or Organisation in which the earlier application was filed.
2. If the number of the earlier application was not known when the priority declaration was filed, it shall be filed within three

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months from the filing date of the patent or other application in connection with which the priority declaration was made.

3. The applicant may, at any time before the grant of a patent or registration of any other right, amend the contents of the priority declaration.
4. If the Registrar General requires a copy of the earlier application as provided for under the Act, it shall be furnished within three months from the date of the request.
5. Under these Regulations, where a priority declaration has been made and accepted by the Registrar General.
 - (a) the date of the earlier application is referred to as the “priority date”; and
 - (b) the State or Organisation in which the earlier application was filed is referred to as the “priority country”.

10. Publications

1. These Regulation applies with respect to publications of GIPO.
2. GIPO shall publish a journal to be called “The Intellectual Property Journal”.
3. Unless the Registrar General otherwise directs, the Intellectual Property Journal shall be published quarterly with the Government Printers and/or any online medium.
4. GIPO may publish, from time to time, reports of cases relating to intellectual property rights including decisions by the Tribunal or a court or other body, whether in The Gambia or elsewhere.
5. GIPO may publish such other documents as it considers appropriate.
6. GIPO may provide for the sale of any of its publications.

11. Application, Grant And Refusal Of Patents

1. These Regulation applies with respect to a request referred to in section 18 of the Act.
2. The request shall be in Form P1.

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3. The following data concerning the applicant, inventor or agent is prescribed for the purposes of section 18 of the Act;
 - (a) for the applicant, the applicant's name, address, nationality and country of residence;
 - (b) for the inventor, the inventor's name a address; and
 - (c) for the agent, the agent's name and address.
4. If there is more than one applicant, the request shall set out, in addition to an address for each applicant, a single address at which all the applicants can be contacted.
5. The following apply with respect to names of persons set out in the request;
 - (a) if the person is a natural person, the person's family name shall be set out first followed by the given names; and
 - (b) if the person is not a natural person, the full name of the person shall be set out.
6. The following apply with respect to addresses of persons set out in the request - the address shall be sufficient to allow prompt postal delivery; and only one address shall be set out for each person, except otherwise.
7. The title of the invention, required under section 18 of the Act, shall be short and precise.
8. The statement justifying the applicant's right to the patent, required under section 18 (iii) of the Act if the applicant is not the inventor, shall be in Form P 4.
9. The request shall be accompanied by an extra copy of the statement referred to in paragraph (8) for the inventor, or if there is more than one inventor, for each inventor.
10. The request shall not include anything that is not provided for in Form P 3 or that is not required or allowed under the Act or this Regulation.
11. The Registrar General shall require the applicant to delete anything included contrary to paragraph (10).

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12. Description

1. This Regulation applies with respect to a description referred to in section 18 (i) of the Act.
2. In addition to the requirements under section 18 (i) of the Act, the description shall:
 - (a) state the title of the invention;
 - (b) specify the technical field to which the invention relates;
 - (c) indicate the background art which, as far as it is known to the applicant, can be regarded as useful for the understanding, searching and examination of the invention; and
 - (d) indicate how the invention is industrially applicable.

13. Claims

1. This Regulation applies with respect to claims referred to in section 18 (i) of the Act.
2. In defining, under section 18(i) of the Act, the matter for which protection is sought, a claim shall set out:
 - (a) the technical features that are necessary to define the subject matter of the invention but that are part of the prior art; and
 - (b) the technical features that, in combination with the features referred to in subparagraph (a), define that for which protection is sought.
3. The features set out in the claim under paragraph (2) (b) shall be preceded by the words “characterized in that”, “characterized by”, “wherein the improvement comprises” or any other words to the same effect.
4. A technical feature set out in a claim shall not rely on a reference to the description or drawings but a reference to a feature may be included in parentheses if the intelligibility of the claim can be increased by doing so.
5. The reference to a feature included under paragraph (4) shall be deemed to be included only for convenience.

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6. A claim shall not include a drawing.
7. If more than one claim is included in the application, the claims shall be numbered consecutively in Arabic numerals.
8. An application may include two or more independent claims if each independent claim relates to a single product or a single process.
9. An application may include a claim stating the essential technical features of an invention with one or more following claims setting out particular embodiments of the invention.
10. The following apply to claims described in paragraph (9):
 - (a) the claims setting out particular embodiments of the invention shall include a reference to the claim stating the essential technical features of the invention;
 - (b) the claims setting out particular embodiments of the invention shall state the features that it is desired that those claims protect; and
 - (c) the claims shall be grouped together to the extent possible and in the most appropriate way.
11. If more than ten claims are included in the application, the application fee shall be increased by the excess claims fee payable for each of the claims in excess of ten.

14. Drawings

1. This Regulation applies with respect to drawings referred to in section 18(i) of the Act.
2. The sheets of paper that drawings appear on shall comply with following:
 - (a) the minimum margins shall be as follows:
 - (i) top margin, 2.5 centimeters;
 - (ii) left margin, 2.5 centimeters;
 - (iii) right margin, 1.5 centimeters; and

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(iv) bottom margin, 1.0 centimeters;

(b) the area within the margins shall not exceed 26.2 centimeters by 17 centimeters and;

c. there shall not be a frame around the area of the sheet that is used or useable.

3. The drawings shall comply with the following:

(a) the drawings shall not be coloured;

(b) the lines of the drawings shall be black, durable, uniformly thick and well-defined and shall be drawn with the aid of drafting instruments;

(c) the drawings, including their scale and the distinctness of their lines, shall be such that all details can be distinguished without difficulty when the drawings are reproduced photographically at two thirds their actual size;

(d) if the scale is given on a drawing, it shall be given graphically;

(e) cross sections shall be indicated by hatching that does not impede the clear reading of the reference signs and reading lines;

(f) all numbers, letters and other references signs shall be at least 32 centimeters high and shall be circled or within brackets or inverted commas;

(g) if the drawings show a feature mentioned in the description, that feature shall be denoted in the drawings by a reference sign and that reference sign shall be used throughout the application to denote that feature;

(h) except as required under subparagraph (g), no feature shall be denoted in the drawings by a reference sign;

(i) the lettering on drawings shall use the Latin alphabet or, where customary, the Greek alphabet;

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(j) the different figures in the drawings shall be numbered consecutively in Arabic numerals independently of the numbering of the sheets on which the drawings appear; and

(k) the drawings shall not include text other than single words or phrases than.

15. Abstract

1. This Regulation applies with respect to an abstract referred to in section 18(i) of the Act.

2. The abstract shall include:

(a) the title of the invention; and

(b) a summary of the disclosure included in the description under section 19 of the Act.

3. The summary required under paragraph (2)(b) shall indicate the technical field to which the invention relates and the principal use or uses of the invention.

4. The abstract shall be drafted in a way that it can be used efficiently for searching in the relevant technical field and so that it is possible for a reader to assess, from the abstract, whether the description should be consulted.

5. The abstract shall not include statements about the merits or value of the invention or about uses that are speculative.

6. If applicable, the abstract shall include the formula that best characterizes the invention.

7. The abstract shall not include a drawing, but if the application includes drawings;

(a) the applicant shall indicate which drawing the applicant suggests should accompany the publication of the abstract; and

(b) a feature referred to in the abstract shall, if the feature is illustrated in a drawing, be followed, in the abstract, by the reference sign used in the drawing.

8. Unless it is impractical, the abstract shall not contain more than one hundred and fifty words.

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16. General Requirements

1. This Regulation sets out general requirements for an application under section 19 of the Act.
2. All parts of the application shall be in English.
3. All pages of the application shall be on durable white paper with a matt finish of the size known as A4 paper (29.7 centimeters by 21 centimeters).
4. Each page of the application shall be oriented with the short side at the top.
5. Each page of the application, other than the request and the drawings, shall have margins as follows:
 - a. top margin, 2.0 centimeters;
 - b. left margin, 2.5 centimeters;
 - c. right margin, 2.0 centimeters and;
 - d. bottom margin, 2.0 centimeters.
6. The margins shall be completely blank.
7. Only one side of each page of the application, other than the request, shall be used.
8. The pages of the application shall be bound so that they can be easily separated and rejoined.
9. The pages of the application shall be free of cracks, creases and folds.
10. Each of the following shall start on a new page:
 - (a) the request;
 - (b) the description;
 - (c) the claim or claims;
 - (d) the drawing or drawings; and
 - (e) the abstract.
11. The application shall be in triplicate.
12. Each of the following shall be numbered as a separate series, using Arabic numerals with the

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numbers centered at the top of the sheets but not in the top margin:

- (a) the request;
 - (b) the description, claims and abstract; and
 - (c) the drawings
- 13. Every fifth line of the description and the claims shall be numbered with the number appearing to the left of the line but not in the margin.
- 14. All parts of the application, other than the drawings and the request, shall be typed or printed rather than hand-written and the following apply to the appearance of the text:
 - (a) the text shall be dark and indelible;
 - (b) the line spacing of the text shall be at least one and one half; and
 - (c) the capital letters shall be at least 20 centimeters high.
- 15. All parts of the application must be prepared so that they are legible when they are photocopied or otherwise reproduced.
- 16. Notwithstanding paragraph (14), graphic symbols and characters, and chemical and mathematical formulae may be hand-written but must be dark and indelible.
- 17. The request may be hand-written, typed or printed but the text must be dark and indelible.
- 18. All parts of the application shall be reasonably free of over-writings, insertions between lines, deletions or other alterations.
- 19. All terms, signs and symbols used in the application shall be used consistently throughout.
- 20. If anything is expressed in units other than metric units the equivalent in metric units shall also be given.

17. Provisional Specifications

- 1. In this Regulation, “specification” means the description, claims, drawings and abstract.

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2. An application may be filed with a provisional specification.
3. The following apply if an application is filed with a provisional specification:
 - (a) unless the applicant files a final specification within one year after the application is filed, the application shall be deemed to have been withdrawn;
 - (b) the Registrar General shall take no steps with respect to the application until the final specification is filed, except under **section 28 (b) of the Act**;
 - (c) the final specification shall be filed using **Form P 3**;
 - (d) the final specification shall not go beyond the disclosure in the provisional specification; and
 - (e) the filing of the final specification shall not affect the filing date accorded under section 28 (a) of the Act.

18. Unity Of Invention.

1. For the purposes of section **25 (i)** of the Act, a group of inventions forms a single general inventive concept if there exists between or among those inventions a technical relationship that involves one or more of the same or corresponding special technical features.
2. In paragraph (1), “special technical features” means those technical features that define a contribution that each of the claimed inventions, considered as a whole, makes over the prior art.

19. Amendment Or Division

1. This section applies with respect to an amendment or division of an application under section **25(ii)** of the Act.
2. A request for amendment or division of an application shall be in **Form P 5**.
3. If the request is to amend a name, address or other contact

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information, the request shall be in **Form P 6**.

4. The Registrar General may require proof that it is appropriate to make the requested amendment to a name, address or other contact information.
5. The following apply with respect to an amendment:
 - (a) the amendment shall be in the form of a letter of explanation and pages to replace pages of the application;
 - (b) the letter of explanation shall draw attention to the differences between any new pages and the pages being replaced; and
 - (c) the letter of explanation shall specify any pages that are to be removed from the application without being replaced.

1. If an application is divided under section 25(iii) of the Act :

- (a) the filing date for each divisional application shall be the filing date of the initial application;
- (b) any declaration of priority in the initial application shall be deemed to be included in each divisional application; and
- (c) the applicant shall pay the application fee and any other fees payable in respect of the additional applications resulting from the division.

20. Declaration Claiming Priority

1. This Regulation applies with respect to a declaration, referred to in **section 26(i)** of the Act, claiming the priority, as provided for in the Paris Convention, of one or more earlier national, regional or international applications.
2. The declaration shall include, in respect of each earlier application:
 - (a) the date and number of the earlier application;

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- (b) the symbol of the international patent classification that was assigned to the earlier application or, if no such symbol has been assigned, a statement of that fact;
 - (c) if the earlier application was a national application, the name of the state in which it was filed; and
 - (d) if the earlier application was a regional or international application, the name of the office in which it was filed and the name of the state for which it was filed.
- 3. If the number of the earlier application, as required under paragraph 26 (b), is not known at the time of making the declaration, a statement of that fact shall be included in the declaration and the declaration shall be amended to include the number within ninety days after the application containing the declaration is made.
- 4. A certified copy of the earlier application required by the Registrar General under section 26(c) of the Act shall be furnished within **ninety days** after the requirement was made.
- 5. If it is discovered that the date given to the earlier application was incorrect, the following apply:
 - (a) the Registrar General shall invite the applicant to provide the correct date; and
 - (b) the Registrar General shall disregard the claim for priority unless the applicant provides the correct date within ninety days after the date of the invitation to provide the correct date and that correct date is within the period of priority provided under the Paris Convention.

21. Filing Date And Examination

- 1. This Regulation prescribes the details of the requirements and procedure under section 28 of the Act.
- 2. The following apply with respect to an invitation referred to in section 28 (b) of the Act:
 - (a) the invitation shall be given within **fourteen days** after the Registrar General makes the

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finding referred to in section 28 (b) of the Act;
and

(b) the invitation shall indicate that the applicant has until **sixty days** after the date of the Invitation to comply with the invitation.

3. If the Registrar General determines that the applicant has not complied with an invitation referred to in section 28(b) of the Act and, as a result, treats the application as if it had not been filed under section 28(b) of the Act, the Registrar General shall, within **fourteen days** after his determination, inform the applicant of the reasons for that determination.
5. The following apply with respect to an invitation referred to in section 28 (b) of the Act:
 - (a) the invitation shall indicate that the applicant has until **ninety-days** after the date of the invitation to remedy the defects;
 - (b) the **ninety-day** period may be extended by the Registrar General for a period not exceeding **sixty days**; and
 - (c) a request for an extension under subparagraph (b) shall be in **Form P 7**.
6. If the Registrar General accords a filing date to the application under section 28 (e) of the Act, the Registrar General shall send the applicant a certificate of filing, which shall be a copy of the request with the filing date and number marked on it.

22. Publication Of Application

1. This Regulation applies with respect to the publication of a patent application under section **29 (b) (i)** of the Act.
2. Before the patent application is published, the applicant shall pay the publication fee.
3. The following are the particulars to be published to effect the publication of a patent application under section 29 (b) (i) of the Act:
 - (a) the application number;
 - (b) the name and address of the applicant;

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- (c) the name and address of the inventor unless he has indicated that he wishes not to be named in the application;
- (d) the name and address of the agent, if any;
- (e) the filing date of the application;
- (f) if priority is claimed, the priority date and the name of the state in which or for which the earlier application was filed;
- (g) the symbol of the international patent classification;
- (h) the title of the invention;
- (i) the abstract; and
- (j) if applicable, the drawing the applicant suggested, under Regulation 15, should accompany the publication of the abstract or, another drawing, if the Registrar General decides it would better characterize the invention.

23. Confidentiality Of Application Before Publication

1. The Registrar General shall ensure that information about a patent application is kept confidential until the application is published.
2. Paragraph (1) does not apply to the following:
 - (a) the application number;
 - (b) the name of the applicant;
 - (c) the filing date of the application;
 - (d) if priority is claimed, the priority date and the name of the state in which or for which the earlier application was filed and the number of the earlier application; and
 - (e) the title of the invention.

24. Non Voluntary Licenses

1. A request for a non-voluntary license made under section 14(1) of the Act shall be made in form P9, and in addition to the details therein prescribed shall specify:

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- (a) the grounds and the evidence upon which the request is based; and
 - (b) the plan according to which the person requesting the non-voluntary license intends to work the patented invention, including evidence that he or she has ability to do so in The Gambia.
- 2. The Registrar General shall, on receipt of the request;
 - (a) immediately notify the owner of the patent and any existing licensees; and
 - (b) solicit the views of the owner of the patent and any existing licensees which shall reach the Registrar General within thirty days of the date of the notification.
- 3. The Registrar General shall, within three months from the expiry of the thirty days referred to in sub-regulation (2)(b) hold a hearing, of which he or she shall give not less than twenty-one days' notice to the person requesting the non-voluntary license, the owner of the patent and any existing licensees.
- 4. The parties mentioned in sub-regulation and any other interested party may be heard or allowed to present written representations at the hearing and they shall comply with the directives issued by the Registrar General regarding the conduct of the hearing.
- 5. The Registrar General may, before granting a non-voluntary license, consult such person or authority as he or she thinks fit.
- 6. Where the Registrar General grants a non-voluntary license, he or she shall state the terms of exploitation and transmit his or her decision to the parties mentioned in sub-regulation (3) and any other interested party.
- 7. A decision under sub-regulation (6) shall be recorded and published by the Registrar General.
- 8. Where the decision of the Registrar General to grant a license under sub-regulation (6) is subject to an appeal, he or she shall record and publish the decision once it becomes final.

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25. Grant Of Patent

1. This Regulation applies with respect to a patent granted under section 29 of the Act.
2. Before a patent is granted, the applicant shall pay the grant fee.
3. The patent shall be in **Form P 9** with a copy of the description, claims and drawings attached.
4. When a patent is issued, a certificate of a grant of a patent in **Form P 10** shall also be issued.
5. The patent shall be published under section 29 (b) (i) of the Act by publishing the following particulars in Official Gazette or in the Intellectual Property Journal:
 - (a) the number of the patent;
 - (b) the name and address of the owner of the patent;
 - (c) the name and address of the inventor unless he has indicated that he wishes not to be named in the application ;
 - (d) the name and address of the agent, if any;
 - (e) the filing date of the application;
 - (f) if priority was claimed and accepted, a statement of the priority, the priority date and the name of the state in which or for which the earlier application was filed;
 - (g) the date of the grant of the patent;
 - (h) the symbol of the international patent classification;
 - (i) the title of the invention;
 - (j) the abstract; and
 - (k) if there are drawings, the most illustrative drawing.

26. International And Regional Applications

1. This Regulation applies with respect to the following applications:
 - (a) an international application filed with the GIPO as the receiving office under section 38 of the Act;

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2. An application described in paragraph (1):
 - (a) shall be in triplicate;
 - (b) shall be in English; and
 - (c) shall be accompanied by the transmittal fee.

27. Entry Of International Application To National Phase

1. An international application in which The Gambia is designated shall, on request, be treated as an application under the Act if the conditions set out in Article 22 or 39 of the Patent Co-operation Treaty and the applicable rules under that Treaty are satisfied.
2. A request under paragraph (1) shall be in **Form P 13**.

28. Conversion Of Refused International Application

1. An international application in which The Gambia is designated shall, on request, be treated as an application under the Act if a refusal, declaration or finding described in Article 25 of the Patent Co-operation Treaty was made and the refusal, declaration or finding was the result of an error or omission on the part of the receiving Office or the International Bureau.
2. A request under paragraph (1) shall be in **Form P 14** and shall be accompanied by a statement of the facts upon which the applicant relies.
3. The date of filing, for the purposes of the treatment of an international application as a national application, shall be the date of filing of the international application under the Patent Co-operation Treaty.

29. Conversion Of Refused Regional Application

1. A regional application in which The Gambia is designated and that has been refused by the Secretariat of ARIPO shall, on request, be treated as an application under the Act if the Secretariat of ARIPO transmits to The Gambia-
 - (a) a request made by the applicant to the Secretariat of ARIPO that the application

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be treated, in The Gambia, as an application under The Gambian law; and

(b) a copy of the files relating to the application.

2. A request to have a regional application treated as an application under the Act shall be in **Form P 15**.
3. The date of filing, for the purposes of the treatment of a regional application as a national application, shall be the date of filing of the regional application under the ARIPO Protocol.

30. Publication Of Certain International And Regional Application

1. The Registrar General shall publish:
 - (a) an international application in which The Gambia is designated within two months after the application enters the national phase; and
 - (b) a regional application in which The Gambia is designated within two months after The Gambia is notified of being designated in the regional application under the ARIPO Protocol.
2. The publication of an application under paragraph (1) shall be in The Gambia Official Gazette or in the Intellectual Property Journal.

31. Parallel Importation

The limitation on the rights under a patent in section 30(b) of the Act extends to acts in respect of articles that are imported from a country where the articles were legitimately put on the market.

32. Annual Fees

1. This Regulation applies with respect to annual fees under section **31 (b) of** the Act.
2. A fee shall be paid by submitting the fee along with **Form P 16**.
3. At least one month before a fee is due, the Registrar General may send a reminder that the fee is due to the applicant or the owner of the patent.

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4. A fee paid after it was due but within the grace period granted under section 31(b) of the Act shall be paid by submitting it along with.
 - (a) the form required under paragraph (2); and
 - (b) the prescribed surcharge.
5. If, according to section 31 (b), an application is deemed to have been withdrawn or a patent lapses, the Registrar General shall send a notification to the persons specified in paragraph (6), within thirty days after the application is deemed to have been withdrawn or the patent lapses.
6. A notification under paragraph (5) shall be sent to the following persons:
 - (a) the applicant or owner of the patent; and
 - (b) every registered licensee.
7. The following apply with respect to a request under section 31 (c) of the Act to restore an application or patent:
 - (a) the request shall be in Form P 17 and shall be accompanied by a statutory declaration or affidavit supporting the statements made in the request;
 - (b) if after considering the request, the Registrar General is not satisfied that the failure to pay the annual fee was not intended, the Registrar General shall notify the person who made the request;
 - (c) the person notified under subparagraph (b) may request a hearing with the Registrar General within sixty days after the date of the notification and, if the person does so, the Registrar General shall hear the person before finally deciding whether or not the Registrar General is satisfied, under section 31(c) of the Act, that the failure to pay the annual fee was not intended; and
 - (d) if the Registrar General makes an advice restoring the application or patent:
 - i. paragraph (4) applies with respect to the payment of the annual fee under section

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31(c) of the Act; and

ii. the Registrar General shall advertise the restoration of the application or

patent in The Gambia Gazette or in the Intellectual journal.

8. If an application or patent has lapsed and the time for making a request under section 31(c) of the Act to restore the application or patent has expired without a request being made or a request was made but was denied, the Registrar General shall, within forty-five days after the time expired or the request was denied, notify the applicant or owner of the lapse and draw their attention to the provisions of section 31(b) of the Act.
9. There is no fee for the first year following the date of filing of the application.
10. For an international application, the only annual fees that are payable are those due after the application enters the national phase.

33. Change Of Ownership Of Application Or Patent

1. This Regulation applies with respect to section 16 (b) of the Act.
2. An application to have a change of ownership recorded in the patent register shall be in Form IP 18.
3. An application to have a change of ownership recorded may be made by the former owner or the new owner.
4. A copy of the following shall accompany the application:
 - (a) the instrument effecting the change in ownership; or
 - (b) a certificate issued by a competent authority of the change in ownership.
5. When a change in ownership is recorded in the patent register the Registrar General shall:

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- (a) issue a certificate of the registration of a change in ownership, in **Form P 19**, to the new owner; and
- (b) publish, in The Gambia Gazette or In the Industrial Property Journal, the following information :
 - i. the date of the application to have the change of ownership recorded;
 - ii. the name of the former owner;
 - iii. the name of the new owner; and
 - iv. the registration number and date of registration of the change in ownership.
- (6) The Registrar General shall ensure that the instrument described in paragraph (4)(a), and its contents, is kept confidential except to the extent that the new owner agrees otherwise.
- (7) If the ownership of an application is changed, the new owner shall be deemed to be the applicant.

34. Petition To Register License Contract

- 1. This Regulation applies with respect to petitions for registration of licence contracts or modifications to licence contracts in the patent register under section 68 of the Act.
- 2. A petition shall be in **Form P 20**.
- 3. The following are prescribed as documents that shall accompany the petition under section 68(2) of the Act:
 - (a) the documents constituting the contract; and
 - (b) any documents relating to the contract that are necessary to understand or interpret the contract.

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35. Utility Models

1. Subject to paragraph (2), these Regulations apply, with necessary modifications, with respect to utility model certificates as though these Regulations referred to utility model certificates instead of to patents.
2. Regulations 27, 28, 29(3) and (4) and 31 to 35 do not apply with respect to utility model certificates.

(2)(3) A utility model certificate shall be in Form U6.

36. Registration Of Industrial Designs

1. The Registrar General shall maintain a register of industrial designs for the registration of industrial designs.
2. For each registered industrial design, the following shall be recorded in the register of industrial designs:
 - (a) the registration number of the industrial design;
 - (b) the name and address of the owner of the industrial design;
 - (c) the title of the industrial design;
 - (d) any disclaimer by the applicant limiting the rights conferred by registration; and
 - (e) any other information required under these Regulations or that the Managing Director considers appropriate.
3. A person who wishes to obtain an extract from the register of industrial designs shall make a request in Form IP 11 for a certified copy or in Form IP 12 for an uncertified copy.

37. Classification Of Industrial Design

The Registrar General shall apply the latest version of the Locarno Agreement of 1968 establishing an International Classification for Industrial Designs, for the classification of industrial designs.

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38. Copyrighted Work And Industrial Designs

An industrial design is not registerable if it is protected under the Copyright Act.

39. Application Of Industrial Design

1. This Regulation applies with respect to an application to register an industrial design under section **56 (a) of the** Act.
2. The application under section 53(a) of the Act shall be in **Form IP 27**.
3. Subject to paragraph (4), there shall be a separate application for each article embodying the industrial design.
4. There may be a single application for a set of articles embodying the industrial design if the articles in the set are intended to be used together.
5. The application shall be accompanied by:
 - (a) an additional copy of the representations required under section 53 (a) (ii) of the Act; and
 - (b) a second specimen in addition to the specimen required under section 53 (a) (ii) of the Act.
6. The application, representations and all documents provided with them shall be on paper of a size known as A4 paper (29.7 centimeters by 21 centimeters) with a weight of at least 80 grams per square meter and each page shall have a left hand margin of approximately 2.5 centimeters.
7. The following apply with respect to representation:
 - (a) if the application is for a set of articles the representations shall include representations of each article in the set embodying the industrial design;
 - (b) figures used in the representations shall be in an upright position, unless

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the Registrar General is satisfied that

- (c) it is impractical to do so;
- (d) if more than one figure is used to represent an article, all the figures representing the same article shall, unless it is impractical to do so, appear on the same page and shall be labelled to indicate the view they represent;
- (e) if the representations are drawings they shall be in ink;
- (f) if the industrial design consists of a repeating surface pattern, the representation shall show all of the pattern that is repeated;
- (g) only one side of each page of the representations shall be used;
- (h) the name of the applicant shall be set out in the top left hand corner of each page; and
- (i) the pages shall be numbered and the page number and the total number of pages shall be set out in the top right hand corner of each page.

8. A statement describing the features of the design which it is claimed are new shall be included on:

- (a) the representations required under section 53(a)(ii) of the Act; and
- (b) the specimen required under section 53 (a) (ii) of the Act.

9. The following apply if the design includes the name or portrait of a person:

- (a) if the person is living, the application shall be accompanied by the consent of the person to the registration; or
- (b) if the person is dead, the Registrar General may require the application to

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be accompanied by the consent of such person as the Registrar General considers appropriate.

40. Publication Of Application

1. The Registrar General shall publish a notice of an application to register an industrial design in The Gambia Gazette or in the Intellectual Property Journal.
2. Before the notice is published, the applicant shall pay the publication fee.

41. Procedure Of Opposition To Application

1. This Regulation applies with respect to opposition to an application to register an industrial design under section 87 of the Act.
2. Within 60 days after the notice of the application is published a person may oppose the application by giving a notice of opposition in Form IP 23 in duplicate to the Registrar General.
3. The notice of opposition shall set out the grounds for opposing the application.
4. The Registrar General shall give one copy of the notice of opposition to the applicant.
5. Within 42 days after receiving the notice of opposition, the applicant shall give a counter-statement in Form IP 28 in duplicate to the Registrar General.
6. The counter-statement shall set out the grounds the applicant relies upon to support the application and shall set out any facts alleged in the notice of opposition that the applicant admits.
7. The Registrar General shall give one copy of the counter-statement to the person opposing the application.
8. Within 42 days after receiving the counter-statement, the person opposing the application shall give to the Registrar General and to the applicant a statutory declaration or affidavit supporting the opposition to the application.

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9. Within **42 days** after receiving the statutory declaration or affidavit of the person opposing the application, the applicant shall give to the Registrar General and to the person opposing the application a statutory declaration or affidavit supporting the application.
10. Within **thirty days** after receiving the statutory declaration or affidavit of the applicant, the person opposing the may give to the Registrar General and to the applicant a statutory declaration or affidavit replying to the applicant's statutory declaration or affidavit.
11. A statutory declaration or affidavit replying to the applicant's statutory declaration or affidavit shall be confined to matters strictly in reply.
12. If the applicant fails to provide a counter-statement under paragraph (5) or a statutory declaration or affidavit under paragraph (9), the application shall be deemed to have been withdrawn.
13. If the person opposing the application fails to provide a statutory declaration or affidavit under paragraph (8), the opposition to the application shall be deemed to have been withdrawn.
14. After all documents have been provided the Registrar General shall conduct a hearing of the matter.
15. The Registrar General shall give at least 14 days' notice of the hearing to each party.
16. A party may be heard at the hearing only if the party provides the Registrar General with a notice in **Form IP 29** at least seven days before the date of the hearing.
17. At the hearing no evidence other than the evidence provided by statutory declaration or affidavit may be introduced without the leave of the Registrar General.
18. The Registrar General shall give each party a written notice of his decision together with written reasons.

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19. If there is more than one person opposing the application the Registrar General may provide for the objections to be dealt with at the same hearing.
20. A party may appeal the Registrar General's decision to the High Court of The Gambia within ninety days after the date of the notification of the decision.

42. Procedure Of No Opposition To Application

1. This Regulation applies if there is no opposition to an application to register an industrial design under section 87 of the Act.
2. If the Registrar General proposes to reject the application, the Registrar General shall send a written notice to the applicant explaining the reasons for proposing to refuse to register the industrial design and inviting the applicant to do one of the following within sixty days after the date of the invitation:
 - (a) submit written submissions; or
 - (b) request a hearing.
3. If the Registrar General has sent a notice under paragraph (2), the Registrar General shall not make his decision as to whether or not to register the industrial design until:
 - (a) if the applicant requests a hearing, after holding the hearing;
 - (b) if the applicant submits observations, after considering the observations; or
 - (c) if the applicant does not request a hearing or submit observations, after the expiry of the **sixty days' period** referred to in paragraph (2).
4. The Registrar General shall notify the applicant in writing of his decision.
5. If the Registrar General decides to refuse to register the industrial design, the applicant may, within thirty days after the date of the notification of the decision,

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request that the Registrar General provide written reasons for his decision.

6. A request under paragraph (5) shall be in **Form P 30**.
7. The Registrar General shall comply with a request under paragraph (5) within forty-five days after the request is made.
8. The applicant may appeal the Registrar General's decision to the High Court of The Gambia within ninety days after:
 - (a) the date of the notification of the decision; or
 - (b) if written reasons are requested, the date of the reasons.

43. Registration Of Industrial Design

1. This Regulation applies with respect to section 53 of the Act.
2. For each registered industrial design, the following shall be recorded in the register of industrial designs :
 - (a) the registration number of the industrial design;
 - (b) the name and address of the owner of the industrial design;
 - (c) the title of the industrial design;
 - (d) any disclaimer by the applicant limiting the rights conferred by registration; and
 - (e) any other information required under these Regulations or that the Managing Director considers appropriate.
1. This Regulation applies with respect to an application to register an industrial design under section 53 (a) of the Act.
2. The application under section 53(a) of the Act shall be in **Form IP 27**.
3. Subject to paragraph (4), there shall be a separate application for each article embodying the industrial design.

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4. There may be a single application for a set of articles embodying the industrial design if the articles in the set are intended to be used together.
5. The application shall be accompanied by:
 - (a) an additional copy of the representations required under section 53 (a) (ii) of the Act; and
 - (b) a second specimen in addition to the specimen required under section 53 (a) (ii) of the Act.
6. The application, representations and all documents provided with them shall be on paper of a size known as A4 paper (29.7 centimeters by 21 centimeters) with a weight of at least 80 grams per square meter and each page shall have a left hand margin of approximately 2.5 centimeters.
7. Before an industrial design is registered under section 53 of the Act, the applicant shall pay the registration fee.
8. A certificate of registration issued under section 53(iv) of the Act shall be in Form IP 31.

44. Publication of Industrial Designs

The Registrar General shall publish a notice of an application to register an industrial design in The Gambia Gazette or in the Intellectual Property Journal.

Before the notice is published, the applicant shall pay the publication fee.

45. Duration

Registration of an Industrial Design shall be valid for a duration of 10 years from the date of filing.

46. Registration Of Geographical Indication

1. An application for the registration of a geographical indication shall be made in Form GI 1 and shall be signed by the applicant or his or her agent. An application for registration of a geographical indication shall be filed in respect of one product.

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2. An application for the registration of a geographical indication shall contain:

the name, address and nationality of the applicant and the State in which he or she is domiciled or has his or her seat or an establishment. Names of natural persons shall be indicated by the person's family name and given name(s). Names of legal entities, as well as organizations falling under **section 108 (b)** of the Act, shall be indicated by their official designation and include the legal form of the entity;

the geographical indication for which registration is sought, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area;

- (a) the geographical area to which the geographical indication applies in a detailed, precise way that presents no ambiguities and delimited with regard to the link referred to in paragraph (e);
- (b) the product identified by the geographical indication and its description, including the raw materials, if appropriate, as well as the principal physical, chemical, microbiological or organoleptic characteristics of the product;
- (c) the quality, reputation or other characteristic of the product which is attributable to its geographical origin and details establishing the link between the product's quality, reputation or other characteristic and product's geographical origin;
- (f) evidence that the product originates in the defined geographical area referred to in paragraph (c);
- (g) where the geographical indication is a geographical indication from a foreign country, evidence that the geographical indication is protected in the country of origin;
- (h) the name and address of the authorities of, if available, the name and address of bodies verifying compliance of the product with the corresponding product specification;

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- (i) the authorisation of the agent, if appointed under **section 5** of these regulations;
- (j) receipt of payment of the prescribed fee;
- (k) Upon receipt, the Registrar shall mark on each document making up the application, the actual date of receipt and the application number. At the request of the applicant, the Registrar shall issue a receipt, bearing at least the application number, the geographical indication, the nature of the documents and their number and the date of receipt.

47. Amendment And Correction Of Application

1. An application for amendment or correction of the application under section 17(5) of the Act shall contain:
 - (a) the number of the application and its date;
 - (b) the name and the address of the applicant in accordance with section 6(2)(a) of these regulations;
 - (c) the indication of the element of the application to be amended or corrected, and that element in its amended or corrected version.
2. If the requirements governing the amendment or correction of the application are not fulfilled, the Registrar shall communicate the deficiency to the applicant. If the deficiency is not remedied within two months from the date of receipt of the notification, the Registrar shall reject the application for amendment or correction.

If an application has been already published in accordance with section 9 of these regulations, the information regarding its correction or amendment(s).
3. provided under subsection (1) of this section shall also be subject to publication in the Journal.
4. The request for correction or amendment shall be filed in **Form GI 4** and shall be accompanied by proof of payment of prescribed fees.

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48. Examination

1. If the application does not contain all the elements required under section 6 of these regulations, the Registrar shall notify the applicant of the irregularities and grant a time limit of 60 days from the date of receipt of the notification, for remedying them. If the irregularities are not remedied within the prescribed time limit, the application shall be deemed not to have been lodged, which is notified to the applicant.
2. If the application complies with section 6 of these regulations, the Registrar shall examine whether the application fulfils the requirements of section 109 (1) of the Act. If the requirements of section 17(4) of the Act are not fulfilled, the Registrar General shall reject the application and notify the applicant.
3. Where the Registrar General finds that the requirements referred to in section 6 of these regulations and section 109 (1) of the Act are fulfilled, he or she shall notify the applicant on acceptance of its application for publication.

49. Publication

The Registrar General shall cause the application to be published in the Journal. Publication shall include the following:

1. the application number and its date;
2. the name, address and nationality of the applicant and the State in which he or she is domiciled or has his or her seat or an establishment;
3. the geographical indication for which registration is sought;
4. geographical indication and its description;
5. the product identified by the geographical indication applies;
6. the quality, reputation or other characteristic of the product which is attributable to its geographical origin and details establishing the link between the product's quality, reputation or other characteristic and the product's geographical origin.

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50. Opposition

1. Any interested person or competent authority may, within two months from the date of the publication made under **section** lodge an opposition to the registration of the geographical indication under **section 111** of the Act.
2. The notice of opposition shall be lodged in writing and shall specify:
 - (a) the name and address of the opponent.
 - (b) the application number of the geographical indication which opposed.
 - (c) the product identified by the geographical indication.
 - (d) the grounds on which the opposition is based and evidence in support.
3. The opposition fee prescribed in the Schedule of fees shall be paid, except where the opposition is filed by a public institution.
4. If the opposition is found admissible pursuant to subsections (1) to (3) of this section, Registrar General shall notify the applicant on the opposition and invite him or her to invite him or her to send a counter-statement to the opposition, including any evidence in support of the application, with (60 days) from the date of receipt of the notification. If the opposition does not conform to **subsection (1) to (3)** of this section, the opposition shall be deemed not to have been lodged.
5. If the application does not send a counter-statement within the prescribed time limit, he or she shall be deemed to have abandoned the application, which is notified to the applicant.
6. if the applicant sends a counter-statement, the Registrar General shall furnish a copy thereof to the person who lodge the opposition. The Registrar General shall invite the opponent and the applicants to state, within (30 days) from the receipt of the communication, whether they wish to be heard, and if so, fix a date for the hearing. After hearing the parties, if either or both wish to be heard, and considering the merits of the case, the Registrar shall decide whether the geographical indication should be registered. To that end, the Registrar General may, if it considers necessary, request the assistance of one or more public institution, university or independent institution which has an expertise in the related subject matter. The Registrar General shall inform the applicant and the opponent of its decision.

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51. Registration

1. Where no opposition has been lodged or where any opposition lodged has been finally rejected or withdrawn, the Registrar General shall register the geographical indication in the Registrar General in accordance with section 109 of the Act and publish a reference to the registration in the Journal in accordance with **section 110** of the Act.
 - (a) The following particulars are entered in the Register:
 - (b) the application number and its date;
 - (c) the effective date of registration and registration number;
2. the name, address and nationality of the holder of the right to use the geographical indication;
3. the protected geographical indication;
4. the geographical area to which the geographical indication applies;
5. the product identified by the geographical indication and its description;
6. the quality, reputation or other characteristic of the product which is attributable to its geographical origin and details establishing the link between the product's quality, reputation or other characteristic and the product's geographical origin;
7. the name and address of the authorities or, if available, the name and address of bodies verifying compliance of the product with the corresponding product specification;
8. where the geographical indication is a geographical indication from a foreign country, a reference to the law, registration number or other basis for protection in the country of origin;

52. Cancellation Of Registration

1. Upon a request being made in **Form GI 5** accompanied by proof of payment of prescribed fees and signed by all the persons on whose application a geographical indication was registered, the Registrar General may cancel the the registration of the geographical indication.
2. The request for cancellation shall specify

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- (a) the registration number of the geographical indication proposed for cancellation;
 - (b) the geographical indication proposed for cancellation;
 - (c) the name and address of the person(s) requesting cancellation;
 - (d) the reasons for which cancellation is requested.
3. Cancellation of a registration of a geographical indication at the request of any interested person other than the persons specified in subsection (1) shall follow the procedure established by section 112 (1) to (2) of the Act.
4. Any cancellation of the registration of a geographical indication shall be published in the Journal.

5. Registration of traditional knowledge

An application for the registration of traditional knowledge shall be made in **Form 20** set out in the First Schedule and shall be accompanied by the fee set out in the Second Schedule.

6. Registration of handicrafts

An application for the registration of a handicraft shall be made in **Form 21** set out in the First Schedule and shall be accompanied by the fee set out in the Second Schedule.

7. Marking of application for Traditional knowledge and handicrafts.

- (a) Upon receipt of an application for the registration of a traditional knowledge or handicrafts made under regulations 59 or 60, the Registrar shall mark, on each document making up the application, the actual date of receipt and the application number consisting of the letters **"BW"**, slant, the letter **"T"**, for traditional knowledge and the letter **"H"** for handicrafts, slant, the four-digit numbers of the year in which the initial papers were received, slant, and a five-digit number allocated in the sequential order in which applications are received.

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- (b) Where any corrections or other documents are later filed on different dates, the Registrar shall mark the actual dates of receipt for any documents which are later filed with him or her or for which any corrections were made in the appropriate place of the application for the grant of a traditional knowledge.
- (c) The application number allocated under sub-regulation (1) shall be quoted in all subsequent communications concerning the application.

COPYRIGHT

PART II - ADMINISTRATION

1. **Training, competitions and awards.** In carrying out its functions under paragraph (c) and (e) of section 5 of [the Act](#), the Centre shall :
 2. organize and conduct training relating to copyright matters at all levels, in collaboration or association with other relevant institutions, if necessary; and
 3. Among other activities, organize competitions and contests and give prizes and awards.
 4. **Office hours of the Centre (Copyright Office).** The offices of the Centre shall be open to the public each day, other than on a Saturday, Sunday or public holiday, from 9.00 am to 1.00 p.m. and from 2.00 p.m. to 4.00 p.m.
- (a) **Appointment of advisors.** (1) The Registrar General may, in consultation with the Centre, appoint such experts, advisors or consultants in relation to any matter before the Centre or to perform any other function or functions specified by the Registrar General. (2) In exercise powers under paragraph (1), the Registrar General shall not make an appointment that the Centre is authorized to make under section 12 of [the Act](#).

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53. The Copyright Register.

1. Pursuant to the provisions of Section 4 of [the Act](#), the Registrar General shall open and maintain a register known as the “Copyright Register” wherein the following particulars shall be recorded in respect of any copyright work that the owner elects to register:
 2. The number and title of the copyright work;
 3. The name, address and nationality of the copyright holder;
 4. The date of the application for registration of a copyright work;
 5. Address for service of the copyright holder;
 6. A licence granted by the copyright holder;
 7. A notice of every document affecting a change in address or ownership of the work or purporting to give interest in it as security;
 8. If the copyright holder dies, a notice to that effect accompanied by a copy of the death certificate; and
 - (a) Any other information required under [the Act](#) and these Regulations or any other information that the Director General may consider appropriate to be recorded in the Copyright Register.
 - (b) The purpose of entering the particulars set out in Section 4 in the Copyright Register is to:
10. Maintain a record of copyright works;
11. Enable the Centre to establish and maintain an effective data bank on authors and their works; and
12. Publicize the rights of the owners of works.
13. The subsistence, enjoyment and enforceability of copyright shall be independent of whether or not it is registered under these Regulations.
 - (a) The following shall apply with respect to names of persons entered in the Copyright Register:
14. If the person is a natural person, the person’s surname shall be set out first followed by the given names; and
 - (a) If the person is a juristic person, the full name of the legal entity shall be set out.

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15. The following provisions shall apply to the addresses of the persons set out in the Copyright Register:

- (a) The address shall be sufficient to allow prompt delivery by post, fax, e-mail and hand;
- (b) Only one set of address shall be set out for each person; and
- (c) Address under this regulation includes electronic mail, postal and physical addresses.
- (d) Where the owner of a work wishes to have it registered in accordance with paragraph (5), he shall submit two copies of such work to the Registrar General.
- (e) An application for registration of a work under this regulation shall be made on **Form No. CR 1** and shall be accompanied by the prescribed fees set out in the Second Schedule.

On receipt of an application in respect of any copyright work under paragraph (6), the Director General may, after making such enquiries as he may deem fit enter the particulars referred to in paragraph (1) in the Copyright Register.

- 1. A certificate of registration in **Form No. CR 2** shall be issued by the Registrar General in respect of an application for registration of a Copyright work made pursuant to paragraph (7).
- 2. The Registrar General shall also keep and maintain such indexes of the Copyright Register as he may deem fit.
- 3. The Copyright Register and indexes kept under this paragraph shall at all reasonable times be open for inspection, and any person interested shall be entitled to take copies of or make extracts from such Register or indexes on payment of the prescribed fees.
- 4. The Copyright Register shall be *prima facie* evidence of the particulars entered therein and documents purporting to be copies of any entry therein, or extracts therefrom certified by the Director General or any other officer authorized by the Centre and sealed with the seal of the Centre shall be admissible in evidence in all courts without further proof or production of the original.

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5. The Registrar General may, for good cause or upon an application by any interested party, on such conditions as he may deem fit, amend the register by:
 - (a) Correcting any error in the name, address or other particulars of the applicant; or
 - (b) Correcting any other error, which may have arisen in the register by accidental slip or omission.
6. The Centre may, on an application of the Registrar General or of any person aggrieved, and upon hearing the parties concerned, order the rectification of the Copyright Register by :
7. Making any entry wrongly omitted to be in the Copyright Register;
8. Expunging any entry wrongly made in, or remaining on the Copyright Register; or
9. Correcting any error or defect in the Copyright Register.
11. Every entry made in the Copyright Register or the particulars of any work entered therein under paragraph (8), and the correction of every entry made in the Copyright Register under paragraph (13), shall be published by the Registrar General in the Gazette or in such other manner as the Centre may deem fit.

54. Change of ownership.

1. An application for change of name or address of copyright holders shall be made on **Form No. CR 3**.
2. An application for approval of a licence or sub-licence shall be made on **Form No. CR 4** and shall be supported by a certified copy of the licence contract.
3. Where there is a change of ownership in respect of any copyright work pursuant to these Regulations an application for change of ownership shall be made on **Form No. CR 5** supported by a certified copy of the relevant instrument effecting the change.

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PART III - *LEVY ON DEVICES USED FOR REPRODUCTION OF COPYRIGHT MATERIALS*

55. Imposition Of Levy

1. There is imposed on the devices specified in regulation 15, capable of being used to copy copyright works, a levy of twenty percent of the cost, insurance and freight value of the devices.

Devices to be levied

2. For the purpose of regulation 10, the devices to be levied include
3. video and audio cassettes with integral storage like:
 - (a) MP3,
 - (b) CD *R/RWs* (data disc),
 - (c) *DVD-R/RWs* set top boxes;
 - (b) pen drives and other data disks including SMART or SIM cards;
 - (c) iPods; diskettes; CD copiers; and
 - (d) Any other devices that the Minister may by legislative instrument prescribe.

56. Liability to pay levy

1. A person who Manufactures; or Imports any of the devices specified in regulations 10 for the purpose of trade, shall pay the levy imposed in these Regulations In the case of a local manufacturer of the device to an authorised officer of the Gambia Revenue Authority at the point of manufacture, In the case of an importer of the device to an authorised officer of the GRA at the point of entry.
2. A manufacturer or importer of any of the specified devices shall keep statements of account of the manufacturer's or importer's activities connected to the manufacture or importation of the specified devices in furtherance of sub-regulation (1).
3. A manufacturer or importer of any of the specified devices shall at three months intervals beginning from the thirty-first of March in each year send a copy of the statement of account kept in furtherance of sub-regulation 2 to an authorised officer of the Gambia Revenue Authority.

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57. Exemption from payment of levy

1. The levy imposed in Regulations 10 and 11 do not apply to
 - Devices manufactured in the country for purpose of export,
 - (a) Institutions that represent persons with disability and which are specified in an enactment,
 - (b) Devices which are used to duplicate locally produced works or foreign works licensed for duplication in the country, and
 - Other materials which the Minister may exempt by legislative instrument.

58. Fee on reprographic reproduction

1. A reprographic rights collecting society shall determine a fee in respect of photocopying of works protected by copyright and related rights by educational institutions and any other outlets where reprography is carried out commercially.
2. In furtherance of sub-regulation (1), the reprographic rights collecting society shall collect the fee on behalf of stakeholders and beneficiaries.
3. Where there is a dispute over a fee imposed on photocopying of copyright works by a collecting society, the Centre shall levy a flat rate fee as the Centre considers fit.

59. Distribution of levies paid

1. The Minister shall distribute the levies collected in furtherance of regulation 14 As follows:
 - ten percent for cultural activities to be collectively administered by the collective administration societies;
 - ten percent for the administrative purposes of collective societies;
 - four percent to the Gambia Revenue Authority, and
 - Six percent to the Copyright Office.

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3. The Minister shall distribute the remaining seventy percent equally among the various rights groups to be shared as follows:

- (a) for holders of audio works rights,
- (b) twenty-eight percent to composers or publishers;
- (c) twenty-one percent to producers; and
- (d) twenty-one percent to performers;
- (e) for holders of audiovisual works rights;
- (f) thirty-five percent to producers;
- (g) twenty-one percent to performers, and
- (h) fourteen percent to authors of audio visual works,
- (i) for holders of literary works rights,
- (j) forty-two percent to authors including visual authors, and
- (k) Twenty-eight percent to publishers.

(3) Each society shall set out rules to distribute the allocation made to the society to its members.

PART IV - ANTI-PIRACY OF COPYRIGHT WORKS UNDER SECTION 5 (b) OF [THE ACT](#)

60. Anti-piracy Device of copyright.

- (a) Every sound recording and audio-visual work imported into The Gambia, intended for sale or offered for sale, rental, hiring, lending or otherwise distributed or intended for distribution to the public for commercial purposes in The Gambia shall have affixed to it an anti-piracy device:

Provided that this regulation shall not apply to computer programs embodied in a sound recording or an audio-visual work.

The anti-piracy device shall:

- (a) Be a tamper proof sticker to be issued by the Centre;

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- (b) Be serially numbered; and
- (c) Be stuck on the sound recording or audio-visual work that is displayed for sale or distribution.

61. Affixation of anti-piracy device.

The anti-piracy device shall be affixed:

1. in the case of sound recordings and audio-visual works

produced in The Gambia, at the point of production or at such other point as the Centre may, from time to time, designate; and
2. In the case of sound recordings and audio-visual works imported into The Gambia, except where such works are exclusively for personal use, before they are released into the channels of commerce in The Gambia.
3. The anti-piracy device shall be affixed to every medium, except a computer program, in which a sound recording or audio-visual work is embodied except computer programs.
4. An application for anti-piracy device of copyright works under **Section 59 (1)** shall be made on **Form No.CR 8**.
5. An application under paragraph (3) shall be accompanied by the relevant documentary evidence as proof that the author of the works or any other copyright holder of such works has authorized the manufacture or production of such sound recording or audio-visual works in The Gambia.
6. A certificate of approval issued by the Centre to an applicant to purchase an anti-piracy device from the Gambia Revenue Centre shall be in **Form No. CR 9**.
7. The anti-piracy device referred to in this regulation shall be used for;
8. Securing the right and interests of the holder of copyright and related rights;
9. Anti-piracy activities; and

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10. Administering the anti-piracy security device.

A manufacturer or producer of sound and audio-visual works or recordings shall apply to the Board for the anti-piracy of copyright works.

The Board shall authenticate copyright works according to all required documents furnished to it by the applicant for that purpose and shall issue an approval certificate in the prescribed form to the applicant for Centre to purchase an anti-piracy device from the Gambia Revenue Centre.

A manufacturer or producer of sound recordings or audio-visual works shall purchase such anti-piracy device from the Gambia Revenue Centre as may be required to cover the number of copyright works he intends to sell or distribute.

The anti-piracy device shall be affixed to each copy of the copyright work made or published by the applicant.

No person shall sell or exhibit for sale any copyright works that require an anti-piracy device in any form without an anti-piracy device affixed thereto pursuant to subsections (1&2) of these regulations.

Any person who sells or offers for sale any copyright work that requires an anti-piracy device without an anti-piracy device affixed thereto is guilty of an offence and is liable to a fine not exceeding five hundred thousand Dalasis.

62. Royalties Payment

1. Where the owner of the copyright in any literary, musical or artistic work authorizes a person to incorporate the work in audio-visual works and a broadcasting authority broadcasts such works, it shall, in the absence of any express agreement to the contrary, be deemed that the owner of the copyright authorized the broadcast.
2. Notwithstanding subsection (1), where a broadcasting authority broadcasts audio-visual works in which a musical work is incorporated, the owner of the right to broadcast the musical work shall, subject to the provisions of the Act, be entitled to receive fair compensation from the broadcasting authority, and in the absence of an agreement the amount of compensation shall be determined by the Centre.

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3. Subject to subsections (2) and (3), copyright in sound recordings shall be the exclusive right to control the doing in The Gambia of any of the following acts in respect of the sound recording, namely:
 - (a) The direct or indirect reproduction in any manner or form; or
 - (b) The distribution to the public of copies by way of sale, rental, lease, hire, loan or any similar arrangements; or
 - (c) The importation into The Gambia; or
 - (d) The communication to the public or the broadcasting of the sound recording in whole or in part either in its original form or in any form recognizably derived from the original.
 - (e) Subject to subsections (3) and (4), the rights of an owner of a copyright in a sound recording are not infringed by the making of a single copy of the recording for the personal and private use of the person making the copy; and in respect of such use the owner of copyright in the sound recording shall have the right to receive fair compensation consisting of a royalty levied on audio recording equipment or audio blank tape suitable for recording and other media intended for recording, payable at the point of first sale in The Gambia by the manufacturer or importer for commercial purposes of such equipment or media.
4. The level of the royalty payable under subsection (2) shall be agreed between organizations representative of producers of sound recordings and of manufacturers and importers of audio recording equipment, audio blank tape and media intended for recording or failing such agreement by the competent authority appointed under section.
5. All claims for compensation under this section shall be made through an organization representative of producers of sound recordings.
6. Any person who, for commercial purposes, makes available any audio recording equipment for the purposes of enabling any other person to make single copies of any sound

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recording for his personal or private use, without payment of the royalty levied under subsection (3) shall be guilty of an offence and shall be liable to a fine not exceeding two hundred thousand Dalasis or to imprisonment for a term not exceeding four years or to both.

63. Fines Payable To The Centre

1. **Fines payable to the Centre.** All fines payable to the Centre under section 12. (B) of [the Act](#) shall be remitted to the Centre by the Court on **Form No. CR 10**.

64. Inspection

Appointment of inspectors.

1. Inspectors appointed under section 58 (1) of [the Act](#) shall carry certificates of Centre while executing their duties under [the Act](#) or these Regulations.
 - (a) The names of all copyright inspectors appointed under **section 58 (1)** shall be published in the Gazette.
2. A certificate of Centre issued by the Centre under **section 58 (1)** of [the Act](#) shall be in **Form No. CR 11**.

65. Dispute Settlement Before The Centre

1. Application for compensation or payment of royalties. An application for compensation or for payment of royalties under section) of [the Act](#) shall be made on **Form No. CR 17** and the provisions of regulation 18 shall apply mutatis mutandis to the application for compensation or payment of royalties.
2. Application or appeal to the Centre.
3. This regulation applies with respect to an application under [the Act](#) .
4. An application or appeal under **section 88 (4)** of [the Act](#) shall be in **Form No. CR 18** and shall be filed with the Centre.
5. The application or the appeal shall set out the relief sought and shall be accompanied by a statement of facts being relied upon and supporting evidence.

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6. The Centre shall consider the application or the appeal and, if the Centre is of the view that a prima facie case has not been made out for the relief sought, the following shall apply:
7. the Centre shall notify the applicant or the appellant that the Centre is of the view that a prima facie case has not been made out and that the applicant or the appellant may, within twenty one days after the notification, request for an opportunity to be heard;
 - (a) if the applicant or appellant requests for an opportunity to be heard within the time period prescribed in sub-paragraph (a), the Centre shall give the applicant or appellant such an opportunity and, if the Centre is still of the view that a prima facie case has not been made out, the Centre shall dismiss the application or the appeal; and
8. If the applicant or the appellant does not request an opportunity to be heard within the time period prescribed in subparagraph (a), the Centre shall dismiss the application or the appeal.
9. Unless the Centre dismisses an application or appeal under sub-paragraph (4) (b) or (c), the Centre shall serve a copy of the application or the appeal and the accompanying statement of facts and supporting evidence required under sub-paragraph (3), upon the Centre or the collecting society within a period of **21 days**.
10. The Centre or the Collecting Society of the Gambia may oppose the application or the appeal by filing with the Centre a reply in **Form No. CR 19** setting out fully the grounds of its opposition.
 - (a) The reply shall be accompanied by a statement of the facts being relied upon and the supporting evidence.
11. The reply shall be filed within 21 days after the date of service of the application or the appeal.
12. The Centre shall serve a copy of the reply and the accompanying statement of facts and supporting evidence

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required under sub-paragraph (7) upon the applicant or appellant who made the application or the appeal within a period of 21 days of the filing of the reply.

(a) The applicant or appellant who made the application or the appeal may, within 21 days after being served under sub-paragraph (9) file with the Centre further evidence confined to matters strictly in reply.

(b) The Centre shall serve a copy of the evidence filed under sub-paragraph (10) upon the Centre or the collecting society.

(c) No further evidence shall be filed except by leave or direction of the Centre.

13. After completion of the filing of the pleadings and the evidence, the Centre shall set down the application or the appeal for hearing within thirty (30) days.

14. Upon hearing the application or the appeal, the Appeal, the Centre shall deliver its ruling in writing within **sixty (60) days**.

66. Extension Of The Application Of [The Act](#)

1. Extension of the application of [the Act](#).

(a) Pursuant to the provisions of **section 49 (b)** of [the Act](#) the, application of [the Act](#) is extended-

(b) in respect of literary works, musical works and artistic works to –

2. individuals or bodies corporate who are citizens of, domiciled or resident in or incorporated under the laws of a country which is a party to a treaty to which The Gambia is also a party and which provides for protection of copyright and related rights; and

3. Those works and audio-visual works first published in a country which is a party to a treaty to which The Gambia is also a party which provides for protection of copyright and related rights;

4. a country which is a party to a treaty to which The Gambia is also a party and which provides for protection of copyright and related rights; and

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5. individuals or bodies corporate who are citizens of, domiciled in those audio-visual works and photographs, first made available to the public or first published in a country which is a party to a treaty to which The Gambia is also a party and which provides for protection of copyright and related rights.

PART XI - USE OF FOLKLORE

67. Application to use folklore.

1. This regulation applies with respect to use of folklore under [the Act](#) Any person who wishes to use any folklore for

commercial purposes shall submit his application to the Centre on **Form No. CR 20**, accompanied with the fees set out in the Second Schedule.

- (a) Any person who uses folklore for commercial purposes in The Gambia without the permission of the Centre commits an offence.
2. Any person who – (a) willfully misrepresents the source of an expression of folklore; or
3. Willfully distorts any expression of folklore in a manner prejudicial to the honour, dignity or cultural interests of the community in which it originates; commits an offence.
 - (a) Any person who commits an offence under this regulation is liable on conviction, to a fine not exceeding six thousand Dalasis or for a term of imprisonment not exceeding six months or to both.

PART XII - GENERAL AND MISCELLANEOUS PROVISIONS

69. Copies of documents.

A person who wishes to obtain a copy of a document kept by the Centre shall make a request in **Form No. CR 21** for a certified copy or in **Form No. CR 22** for uncertified copy upon payment of the prescribed fees.

70. Copy of lost or destroyed certificate.

1. The Centre may issue a copy of a lost or destroyed certificate.

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2. A request for a copy of a lost or destroyed certificate shall be in **Form No. CR 23**.
3. A request for a copy of a lost or destroyed certificate shall be accompanied by a statutory declaration or an affidavit supporting the assertion that the certificate has been lost or destroyed.
 - (a) Extension of time. (1) The Centre or the Centre may extend the time for doing an act or taking proceedings, other than a time expressly provided for in [the Act](#), on such conditions as it may specify. (2) A request for extension of time shall be made on **Form No. CR 24**.

70. Signing of forms on behalf of certain bodies.

1. A form that is required to be signed on behalf of a corporation shall, unless an agent signs it, be signed by a director or the secretary of the corporation.
2. The following provisions shall apply if a form is required to be signed on behalf of a partnership:
 - (a) Unless the form is signed by an agent, the form shall be signed by a partner or by a person who satisfies the Centre or the Centre that the person is authorized by the partnership to sign on its behalf; and
 - (b) The form shall set out the names and addresses of the partners in full.

71. Statutory Declarations and Affidavits.

The following provisions shall apply with respect to a statutory declaration or an affidavit under [the Act](#) or these Regulations:

1. A statutory declaration or affidavit shall have a heading indicating the matter or matters to which it relates;
2. A statutory declaration or affidavit shall be divided into consecutively numbered paragraphs, each of which shall, if possible, be confined to a single subject-matter;

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3. A statutory declaration or affidavit shall fully identify the person making it and shall set out where the person resides; and
4. A person signing a statutory declaration or an affidavit shall disclose his competence and Centre to swear the statutory declaration or the affidavit.

72. Documents to be in English or translated.

1. Documents provided to the Centre shall be in English.
 - (a) If a copy of a document that is not in English is required to be provided to the Centre or the Centre, the following shall apply :
 - (b) An English translation of the document shall be provided along with the copy of the document;
 - (c) The translation shall be certified to be an accurate translation;
 - (d) If more than one copy of the document is required, one copy of the translation shall be provided for every copy of the document required;
2. If the Centre or the Centre believes the translation is not accurate, the Centre or the Centre may refuse it and require an accurate translation; and
3. The copy of the document shall be deemed not to have been provided until the required translation and copies are provided.

PART IV - MARKS AND COLLECTIVE MARKS

1. An application may be made for the registration of a mark in respect of
2. goods;
3. services; or
4. goods and services, in one or more classes of the International Classification of marks.

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5. An application for the registration of a mark shall be made in form M1 bearing a representation of the mark in the prescribed place and accompanied by three additional representations of the mark.
6. The representation of the mark on the application form and the additional reproductions shall be identical.
7. If the Registrar General considers that any representation of a mark is unsuitable for the purposes of the registration of the mark, he or she may at any time require a suitable representation to be submitted.
8. If a representation cannot be given in the manner provided for in this regulation, a specimen or copy of the mark may be sent either in full size, on a reduced scale or in such form as the Registrar General may approve.
9. If color is claimed as an element of the mark, the application shall state the claim and specify the color.
10. If the application is for registration of a Three-dimensional mark, the application shall state so and the representations shall be such as to illustrate the three dimensions clearly.
11. An application for registration of a mark which is or contains a word shall be treated as an application to register the word in the graphical form shown on the application unless where the application states that the word is to be registered without regard to its graphical form.
12. If a mark consists of or contains a word in a language other than English or characters other than Roman, the application shall be accompanied by a transliteration and translation of each of such words and state the language to which each word belongs, unless the Registrar General otherwise directs or permits.

73. Withdrawal Of Application For Registration Of A Mark

1. A withdrawal of an application under **section 28(3)** of the Act shall be made in **form M2**.
 - i. A withdrawal of an application does not entitle the applicant to a refund of the application fee.

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74. Application Procedure For A Mark

1. Upon receipt of an application under regulation 30, the Registrar General shall mark on each document making up the application the actual date of receipt and the application number in the format, "GM/M/X/Y", where
 - (a) "X" denotes the year of receipt; and
 - (b) "Y" is a five digit number denoting the sequential order in which applications for registration of marks are received.
2. The application number shall be stated in all subsequent communications relating to that application.
3. On receipt of every subsequent document relating to an application, the Registrar General shall:
 - (a) mark it with the application number and the date of receipt of that document; and
 - (b) mark the original application with the description of the subsequent document and its date of receipt in the appropriate place.
4. The filing date of an application for the registration of a mark shall be the date on which all the following is received
 - (a) the name of the applicant;
 - (b) the address for service;
 - (c) the prescribed representations of the mark;
 - (d) a specification of goods or services; and
 - (e) the prescribed application fee.
5. Upon receipt of the information prescribed in regulation (4), the Registrar General shall notify the applicant in writing of the application number and filing date.

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75. Examination Of Application For A Mark

1. Where on examination of the application for registration of a mark the Registrar General considers that the application is incomplete or defective in a material particular, he or she may request the applicant to make such corrections as he or she thinks fit in **form M3** within **thirty days**.
2. Where the applicant fails to submit the necessary correction in writing within **thirty days**, the application shall be deemed to have been withdrawn.
3. The Registrar General may refuse an application if the corrections requested under sub-regulation (1) do not satisfy him or her, and the applicant shall be informed accordingly.
4. The Registrar General may either simultaneously with his or her examination under **regulation 33** or on completion of that procedure, examine the application in accordance with **section 29(1)** of the Act and
 - (a) accept it without conditions;
 - (b) accept it subject to conditions (in which case

he or she shall notify the applicant of those conditions, giving the applicant not less than thirty days to agree or object); or reject the application

76. Examination Of Registrability

1. Where the Registrar General is satisfied that an application fulfils the conditions set out in **section 29(1)** of the Act and accepts the application or accepts it subject to any conditions or limitations to which the applicant does not object, the Registrar General shall give the applicant a notice of acceptance in **form M4**, including a request in **form M3** for payment of the prescribed advertisement fee within three months from the date of the application.
2. If the applicant wishes the application to be published he or she shall pay the prescribed fee with a notice of payment in **form M5**.
3. Upon receipt of **form M5** and the prescribed fee, the Registrar General shall publish the application, setting out:

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- (a) the filing date and where applicable, the priority date and the priority country;
 - (b) a representation of the mark;
 - (c) a representation of the mark; the list of
The goods or services with an indication
of the corresponding class or classes
of the international classification;
 - (d) the name and address of the applicant; and
 - (e) the address for service.
4. If the applicant fails to pay the advertisement fee with the prescribed time, the application shall be deemed to have Been withdrawn.
5. A notice of opposition under **section 29(2)(b)** of the Act shall be in **form M6** and in addition to a statement of the grounds of opposition, shall be accompanied by any evidence
The person opposing the application may wish to adduce in support of the opposition.
6. The notice of opposition together with any evidence shall be filed with the Registrar General in duplicate.
7. When sending the copy of notice of opposition to the applicant under **section 29(2)** of the Act, the Registrar General shall send the duplicates of the evidence in support provided by the opponent.
- A counterstatement filed under **section 29(2)(d)** of the Act shall
8. be in **form M7**, and in addition to stating the grounds on which the applicant relies for his or her application, shall be accompanied by any evidence the applicant may wish to adduce in support of his or her application.
9. The counterstatement together with any evidence shall be filed with the Registrar General in duplicate.
10. When sending the copy of the counter statement to the person giving notice of opposition under **section 29(2) (e)**, the Registrar General shall also send the duplicates of the evidence in support provided by the applicant.

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11. The evidence referred to in sub-regulations (1) and (4) shall take the form of written affidavits or statutory declarations, with any exhibits specifically attested to therein, and if made outside The Gambia authenticated by a Notary Public.
12. In determining the applicant's liability (if any) for costs under **section 29(2)(g)** of the Act, the Registrar General shall consider whether formal opposition proceedings may have been avoided if reasonable notice had been given by the opponent to the applicant before the notice of opposition was filed.

77. Registration Of A Mark

1. The Registrar General shall register a mark and issue to the applicant a certificate of registration in **form M8** if, within three months after publication of the mark under section 29(2) (a) of the Act.
 - i. the registration of the mark has not been opposed; or
 - the registration of the mark has been opposed and the issue has been decided in the favour of the applicant,
2. Upon the registration of a mark, the effective date of the registration shall be either the:
 - (a) the filing date under regulation 32(4); or
 - (b) the priority date (where applicable); whichever is earlier.
3. Upon the registration of a mark it shall retain the number allocated to it under regulation 32(1).
4. The registration of a mark shall include:
 - (a) a representation of the mark;
 - (b) the number of the mark;
 - (c) the name and address of the registered owner;
 - (d) the address for service;

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- (e) the filing date and the effective date determined under sub-regulation (2);
 - (f) the date on which the registration was actually completed;
 - (g) where applicable, the priority date and the priority country; and
 - (h) the list of goods or services in respect of which the mark is registered with an indication of the corresponding class or classes of the international classification.
5. The Registrar General shall not be required to republish the mark upon completion of its registration.
6. An application for renewal of the registration of a mark shall be made in form M9 within the **six months** preceding the Expiry of the registration; subject to the grace period Period prescribed under **section 31(4)(c)**.
7. Subject to sub-regulation (3), where the registered owner of a mark fails to pay the renewal fee or the surcharge where applicable, the registration of the mark shall not be renewed and its registration shall be removed from the register as from the last expiry date of its registration.
8. Where a mark has been removed from the register for nonpayment of the renewal fee, it shall, for the purposes of **section 27(2)(f)** of the Act (in relation to a new application for the registration of another mark **within one year** from the date of expiration of the last Last registration), be deemed to be a mark which Is already on the register, unless the Registrar General is satisfied that;
- (a) there has been no bona fide use of the mark which has been removed, During **three years** immediately preceding its removal; or
 - (b) no deception or confusion is likely to arise from the use of the mark which is the subject matter of the new application for registration, by reason of any previous use of the mark which has been removed.

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9. The renewal of the registration of a mark shall be recorded in the register and shall be published by the Registrar General.
10. Where the Registrar General renews the registration of a mark, he or she shall issue to the registered owner a certificate of renewal in form M10.

78. Removal Of A Mark For Non Use

1. An application to remove a mark, which includes collective marks on the grounds of nonuse shall include a statement fully setting out the allegations of fact on which the application is made.
2. A copy of the application shall be served on the registered owner of the mark.
3. The removal of a mark from the register on the grounds of nonuse shall be published by the Registrar General.

79. Collective Marks

1. The application for registration under **regulation 30** shall clearly designate it as a collective mark and be accompanied by a copy of the regulations governing the use of the collective mark, which shall define the common characteristics or quality of the goods or services which the collective mark designates, the conditions under which it may be used and the persons who may use it, provide for effective control of the use of the mark in compliance with those regulations and determine sanctions for any use contrary to the said regulations.
2. The registered owner of a collective mark shall immediately notify the Registrar General in writing of changes effected in the regulations governing the use of the mark.
3. All notifications under sub-regulation (3) shall be recorded in the register, and changes to the regulations shall have no effect until they are recorded.
4. A collective mark may be used by the registered owner personally or other authorised persons in accordance with the said regulations and the use by such persons. Shall be deemed to be use by the registered owner.

80. Miscellaneous Recordal Change

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1. The changes to be recorded under **section 37** of the Act may include *inter alia*
 - (a) changes in the name, corporate structure or home address of the owner or applicant or the address for service;
 - (b) assignments, transfers or transmissions of ownership whether voluntary or by operation of law;
 - (c) deletions from or restrictions of the goods or services comprised in the registration of a mark;
 - (d) changes in the classification of the goods or services comprised in the registration of a mark, such as to comply with the International Classification.
3. The changes in sub-regulation (1) shall not include any addition to or expansion of the goods or services comprised in the registration of a mark, nor any alteration to the representation of a mark.
4. All applications for recordal of changes shall be made to the Registrar General in **form G1** which may be modified pursuant to regulation 3(1) so as to reveal the full details of the change concerned.
5. On receipt of an application for recordal, the Registrar General may require the owner or applicant to furnish such documentary evidence or additional information as the Registrar General may deem appropriate.
6. Unless otherwise stipulated by the Registrar General, any such document from outside The Gambia shall be authenticated by a Notary Public.
7. A publication under **section 37(1)** of the Act shall specify:

- (a) the description and number of the

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registration;

- (b) the nature of the change;
- (c) the names and addresses of the owner and the new owner, where applicable; and the new address for service, where applicable.

81. Recordal Of License

1. An application for recordal of a licence under **section 37(5)** of the Act shall be made to the Registrar General in **form G2**, accompanied by a copy of the licence contract or document, and any such document from outside The Gambia shall be authenticated by a Notary Public.
2. In accordance with **section 37(5)** of the Act, the Registrar General shall keep the contents of the licence document confidential but shall publish the dates of commencement and expiry of the contract, the geographical limits of the licence, the names and addresses of the parties and their addresses for service.

82. Service And Notice

1. Any notice or correspondence required to be served on or delivered to an applicant or owner by the Registrar General shall be deemed to have been properly served or delivered if the correspondence or notice has been posted by regular mail to, or delivered at the address for service.
2. Any form, notice or correspondence required to be filed with or delivered to the Registrar General may be delivered at his or her office or posted by regular mail to the Registrar General's official postal address.
3. Except for purposes of allocating filing dates, material sent by post under sub regulations (1) and (2) shall be Deemed to be received on the second working day after posting.

4. Where the last day for doing any act or taking any

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proceeding falls on a day when the Registrar General's office is not open to the public for business, the act or the proceeding may be undertaken on the day the office is next open for business.

83. Records

1. The consultation of the registers under section 39(2) of the Act is subject to the payment of the prescribed fee.
2. Requests for extracts from a register under section 39(2) of the Act shall be made in writing to the Registrar General and subject to the payment of the prescribed fee.
3. Where the Registrar General has effected a correction under section 40(1) of the Act to any application, document or recording, he or she shall communicate the same to the applicant or owner concerned and to any other interested parties he or she may deem necessary.
4. The Registrar General may at his or her discretion also publish the correction.

84. Publication

The "official bulletin" for the purpose of publications under section 39(3) of the Act is The Gambia Gazette.

85. Representation By Agent

1. A person may be represented by an agent in respect of a matter if:
 - (a) an appointment of the agent in respect of the matter has been filed with the Registrar General; and
 - (b) the agent is admitted to practice before the GIPO.
2. An appointment of an agent shall be in Form IP 39.
3. Unless the Registrar General otherwise directs, if a person is represented by an agent:

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- (a) the agent may attend upon the Registrar General in place of the person; and
- (b) the agent may sign any document under this Act on behalf of the person.

86. Registration As Agent

1. The Registrar General may admit a person to practice before the Institute as an agent if the person resides in, and is a citizen of, The Gambia and:
 - (a) the person is an advocate practicing in The Gambia; or
 - (b) the person has a university degree in science or a technical field and is conversant with industrial property matters.
2. An application for admission to practice before the Institute shall be in Form IP 40.
3. The Registrar General shall maintain a register in which the persons admitted to practice before the Institute are recorded.

87. Copies Of Documents

A person who wishes to obtain a copy of a document kept by the GIPO shall make a request in Form IP 11 for a certified copy or in Form IP 12 for an uncertified copy.

88. Request For Search

A search may be conducted upon payment of the prescribed fees.

89. Request To Amend Name

Request to amend a name, address or other contact information in a register shall be in Form IP 44.

90. Rules For Giving Notices

A notice or other document that is to be given or sent to, or served on, a person may be given, sent or served:

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- (a) by mailing or delivering the notice or document to the address of service provided by the person;
 - (b) by giving the notice or document personally to the person or by mailing or delivering the notice or document to the person's residence or place of business or employment; or
 - (c) by giving the notice or document personally to the person's agent or by mailing or delivering the notice or document to the agent's place of business.
2. Proof that a notice or other document was given, sent or served shall be in Form IP 46.
 3. A notice or document that is mailed shall be deemed to have been given, sent or served on the day the notice or document would be delivered in the ordinary course of post.

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FIRST SCHEDULE

Form A1 (regulation 6)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:01 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
AUTHORISATION OF AGENT	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Full Name and Address of:- a) Applicant b) Owner c) Opponent d) Licensee <i>(indicate (a) - (d) as appropriate)</i>	

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2. The Registrar General is hereby notified of the appointment of the agent described below.		
3. Full name of the Agent		
4. Address of the agent which shall be the address for service of the person appointing him		
5. Is the appointment of agent general (in respect of all transactions in the name of the appointor), or limited (to an identified matter)? <i>(Indicate opposite)</i>	General	
	Limited	
6. If the appointment is limited, identify the matter/s opposite <i>Continue on separate page if necessary</i>	Type of registration/s or application/s <i>(patent, utility model, industrial design, mark)</i>	
	Number/s <i>(GM/..../.../....)</i>	
	Title or short description of the (or each) registration or application	
Signature	Date	

Note It is NOT obligatory to send a form of authorisation with every application or proceeding. *See regulation 6(3) as to the powers of the Registrar General to require authorisation.*

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FORM P1 (regulation 10)

REPUBLIC OF THE GAMBIA		
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2, Item 1 <i>(includes examination grant and publication)</i>		
Application for Grant of a Patent		
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.		
Request is hereby made by the applicant/s mentioned below for the grant of a patent in accordance with the following details.		
Application Number <i>(To be applied by the Registrar General)</i>	GM/P/	
1. Full name and address of the applicant, or of each applicant <i>(underline all surnames);</i> Applicant's reference <i>(Optional)</i>		
2. Title of the Invention		
3. Name of agent; Address for service to which all correspondence should be sent.		
4. Priority Declaration: If priority is claimed from one or more earlier applications elsewhere <i>enter details opposite or use separate sheet.</i>	Priority Country	
	Priority Date <i>(day/month/year)</i>	
	Application No. <i>(if known)</i>	
5. Inventor ship (inventors must be individuals not companies): a) Are all the above applicants	a)	

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inventors? b) Are there any additional inventors? <i>Enter “yes” or “no” ^{b)} opposite.</i>		
6. Accompanying Documents: <i>Check and enter number of pages of each item opposite</i>	Description	
	Claim/s	
	Drawing/s	
	Abstract	
	Other/s <i>(Specify)</i>	
The prescribed fee under the Second Schedule to the Regulations is remitted herewith.		
Signature/s	Date	

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FORM P2 (regulation 16)

REPUBLIC OF THE GAMBIA

THE INDUSTRIAL PROPERTY ACT Cap. 95:03
THE INDUSTRIAL PROPERTY REGULATIONS 2010

No Fee

Withdrawal of Patent Application

To:
The Registrar General,
Attorney General's Chambers
Ministry of Justice
Marina Parade,
Banjul, The Gambia.

1. Application Number	GM/P/
2. Title of Invention	
3. Name/s of Applicant/s	
4. The Registrar General is hereby notified that the above-mentioned application is withdrawn. It is recognised that there will be no refund of the application fee.	
Signature/s	Date

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FORM P3 (regulation 17)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 3	
Amendment of Patent Application or Priority Claim	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/P/
2. Title of Invention	
3. Name/s of Applicant/s	

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<p>4. The Registrar General is hereby notified of the amendment of the above-mentioned application or of the priority claim in the manner set out opposite.</p>	<p><i>Description of amendment (may continue on separate sheet)</i></p>
Signature/s	Date

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FORM P4 (regulation 19)

REPUBLIC OF THE GAMBIA
<p>THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010</p> <p>No Fee</p> <p>Request by the Registrar General for correction of patent application and/or for missing documents</p>
<p>From: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.</p>

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1. Application Number	GM/P/
2. Title of Invention	
3. Name/s of Applicant/s	
4. The Registrar General requires the applicant/s to correct the above-mentioned application and/or to furnish missing documents as set out opposite.	
5. The fees (if any) for compliance Are stated opposite.	
6. The time for compliance with this request is stated opposite*.	
Signature Registrar General	Date

☐ *Note If this request is not complied with, within that time the application will become void.*

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FORM P5 (regulation 21)

REPUBLIC OF THE GAMBIA		
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010		
No Fee		
Record of Particulars of a Patent		
1. Patent Number	GM/P/	
2. Title of Invention		
3. Name/s and address/es of Owner/s		
4. Address for Service		
5. Name/s and address/es of Inventor/s		
6. Filing Date		
7. Priority Date and Country		
8. Publication Date (Effective Date) of Grant		
9. Classification		
10. Documents attached to and forming part of granted Patent <i>(check opposite)</i>	a) Abstract	
	b) Description	
	c) Claims	

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	d) Drawings	
	e) References to Prior Art	
Signature Registrar General	Date	

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FORM P6 (regulation 21)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
CERTIFICATE Of the Grant of a Patent	
1. Patent Number	GM/P/
2. Title of Invention	
3. Name/s and Addresses of Owner/s	
4. Name/s and address/es of Inventor/s	
5. Address for Service	
6. Filing Date	
7. Priority Date	
8. Priority Country	

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9. Effective (Grant and Publication) Date	
10. Abstract	
11. International Classification	
Signature Registrar General	Date:

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FORM P7 (regulation 23)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 7	
Request for Extension of Term of Patent	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Patent Number	GM/P/
2. Date of filing Application for the Registration of the Patent (date/month/year) *	
3. Title of Invention	
4. Name/s of Owner/s	

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5. Address for Service	
6. The Registrar General is hereby requested to extend the term of this patent registration in accordance with section 13(2) of the Industrial Property Act.	
7. A statement of evidence that the patented invention is being worked in The Gambia (or that there are circumstances other than importation which justify the failure to work it) is filed herewith and marked “ P 7 1 ”.	
Signature	Date

****Note A request as above may be made not more than twelve months and not less than one month before the expiry of the basic term of 15 years from the date of application.***

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FORM P8 (regulation 23)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item & Table	
Statement Accompanying Payment of Annuity	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Patent or Application Number	GM/P/
2. Date of filing Application for the Registration of the Patent (date/month/year)	
3. Due Date of Annuity Now Being Paid (date/month/year) *	

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4. Title of Invention	
5. Name/s of Owner/s	
6. Address for Service	
7. The annuity, falling due on the above-mentioned patent application or registration on the date stated at (3) above, is remitted to the Registrar General herewith in accordance with section 13(3) of the Industrial Property Act.	
Signature	Date

****Note: An annuity for the maintenance of the patent application or registration falls due on the first anniversary of the date of application for registration and on each subsequent anniversary of that date.***

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FORM P9 (regulation 24)

REPUBLIC OF THE GAMBIA		
THE INDUSTRIAL PROPERTY ACT Cap. 95:01 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 9		
Request for grant of Non-Voluntary Licence		
To: The Registrar General, Attorney General's Chambers Minister of Justice Marina Parade, Banjul, The Gambia.		
1. Patent Number	GM/P/	
2. Dates of Filing and Grant (date/month/year) *	Filing	
	Grant	

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2. Title of Invention	
3. Name/s of Owner/s	
4. Name and address of Applicant for Grant of Non-Voluntary Licence	
5. The applicant described at (4) above hereby requests the Registrar General, with the approval of the Minister, to grant a non-voluntary licence to the applicant for the working of the patented invention in The Gambia, in accordance with section 14 of the Industrial Property Act, on the grounds set out below.	
6. The patented invention is not worked, or is insufficiently worked in The Gambia.	
7. A detailed statement of the grounds of this application is filed herewith and marked “P 9 1” .	
8. The written evidence upon which this application is based is filed herewith and marked “P 9 2” .	
9. The plan according to which the applicant intends to work the patented invention in The Gambia, including evidence of his ability to do so, is filed herewith and marked “P 9 3” .	
Signature	Date

**Note: An application as above may not be made until expiry of 4 years from the date of filing or 3 years from the date of grant, whichever is later.*

FORM U1

REPUBLIC OF THE GAMBIA
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2, Item 1 <i>(includes examination grant and publication)</i>
Application for Grant of a Utility Model
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.
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Request is hereby made by the applicant/s mentioned below for the grant of a Utility Model in accordance with the following details.

Application Number <i>(To be applied by the Registrar General)</i>	GM/U/	
2. Full name and address of the applicant, or of each applicant <i>(underline all surnames);</i> Applicant's reference <i>(Optional)</i>		
4. Title of the Innovation		
5. Name of agent; Address for service to which all correspondence should be sent.		
4. Priority Declaration: If priority is claimed from one or more earlier applications elsewhere <i>enter details opposite or use separate sheet.</i>	Priority Country	
	Priority Date <i>(day/month/year)</i>	
	Application No. <i>(if known)</i>	
5. Inventor ship (inventors must be individuals not companies): a) Are all the above applicants	a)	

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inventors? c) Are there any additional inventors? <i>Enter "yes" or "no" ^{b)} opposite.</i>		
6. Accompanying Documents: <i>Check and enter number of pages of each item opposite</i>	Description	
	Claim/s	
	Drawing/s	
	Abstract	
	Other/s (Specify)	
The prescribed fee under the Second Schedule to the Regulations is remitted herewith.		
Signature/s	Date	

FORM U6

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
CERTIFICATE Of the Grant of a Utility Model	
1. Patent Number	GM/P/
9. Title of Invention	
10. Name/s and Addresses of Owner/s	
11. Name/s and address/es of Inventor/s	
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12. Address for Service

13. Filing Date

14. Priority Date

15. Priority Country

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12. Effective (Grant and Publication) Date	
13. Abstract	
14. International Classification	
Signature Registrar General	Date:

FORM D1 (regulation 27)

REPUBLIC OF THE GAMBIA
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 10
Application for Registration of an Industrial Design
To: The Registrar General, Attorney General's Chambers Ministry of Justice,

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Marina Parade, Banjul, The Gambia.		
Request is hereby made by the applicant mentioned below for the registration of an industrial design in accordance with the following details.		
Application Number <i>(To be applied by the Registrar General)</i>	GM/D/	
1. Full name and address of the applicant. <i>(underline surname)</i> ; Applicant's reference <i>(Optional)</i>		
2. Short Description of the Design		
3. Name of agent; Address for service to which all correspondence should be sent.		
4. Priority Declaration: If priority is claimed from one or more earlier applications elsewhere <i>enter details opposite or use separate sheet.</i>	Priority Country	
	Priority Date <i>(day/month/year)</i>	
	Application No. <i>(if known)</i>	
5. Creator (must be individual not company) Is the applicant the creator of the design? <i>Enter "yes" or "no" opposite. If the answer is "no" this application must be accompanied by a statement justifying the applicant's right to be registered.</i>		
6. Accompanying Material: <i>Check and enter number of pages(when applicable) of each item opposite</i>	Description	
	Drawing/s	
	Photograph/s	
	Specimen <i>(not exceeding 20x20x20 cm.)</i>	
	Other/s <i>(Specify)</i>	
The prescribed fee under the Second Schedule to the Regulations is remitted herewith.		
Signature/s	Date	

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FORM D2 (regulation 28)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 No Fee	
Withdrawal of Industrial Design Application	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/D/
2. Short Description of Design	
3. Name of Applicant	
4. The Registrar General is hereby notified that the above-mentioned application is withdrawn. It is recognised that there will be no refund of the application fee.	
Signature	Date

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FORM D3 (regulation 28)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 12	
Amendment of Industrial Design Application or Priority Claim	
To: The Registrar General, Attorney General's Chambers Ministry of Justice, Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/D/
2. Short Description of Design	
3. Name of Applicant	

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<p>4. The Registrar General is hereby notified of the amendment of the above-mentioned application or of the priority claim in the manner set out opposite.</p>	<p><i>Description of amendment (may continue on separate sheet)</i></p>
<p>Signature</p>	<p>Date</p>

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FORM D4 (regulation 28)

REPUBLIC OF THE GAMBIA
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 12
Amendment of Industrial Design Application or Priority Claim
To: The Registrar General, Attorney General's Chambers Ministry of Justice, Marina Parade, Banjul, The Gambia.

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1. Application Number	GM/D/
2. Short Description of Design	
3. Name of Applicant	
4. The Registrar General is hereby notified of the amendment of the above-mentioned application or of the priority claim in the manner set out opposite.	<i>Description of amendment (may continue on separate sheet)</i>
Signature	Date

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FORM D5 (regulation 28)

REPUBLIC OF THE GAMBIA		
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010		
Record of Particulars of an Industrial Design		
1. Design Number	GM/D/	
2. Short Description of Design		
3. Name and address of Owner		
4. Address for Service		
5. Filing Date		
6. Priority Date and Country		
7. Material attached to and forming part of registered design <i>(check opposite)</i>	a) Description	
	b) Drawing/s	
	c) Photograph/s	
	d) Specimen	
	e) Other/s	
Signature Registrar General	Date	

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FORM D6 (regulation 28)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
CERTIFICATE Of the Registration of an Industrial Design	
1. Design Number	GM/D/
2. Short Description of Design	
3. Name and Address of Owner	
4. Address for Service	
5. Filing Date	
6. Priority Date	
7. Priority Country	
8. Effective Date	
Signature Registrar General	Date

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FORM D7 (regulation 30)

REPUBLIC OF THE GAMBIA	
<p>THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 16</p> <p>Application for Renewal of the Registration of an Industrial Design</p>	
<p>To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.</p>	
1. Design Number	GM/D/
2. Short Description of Design	
3. Name and Address of Owner	
4. Address for Service	
5. Effective Date of Registration	
6. Date of Expiry of Current Term	
7. Application is hereby made for renewal of the registration of the above-mentioned industrial design for an additional term of 5 years from the expiry of the current term as stated above.	
8. The prescribed fee under the Second Schedule to the Regulations is remitted herewith.	
Signature	Date

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FORM D8 (regulation 30)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
Certificate of Renewal of the Registration of an Industrial Design	
From: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Design Number	GM/D/
2. Short Description of Design	
3. Name and Address of Owner	
4. Date of Expiry of Previous Term	
The registration of the above-mentioned Industrial Design has been duly renewed for an additional term of 5 years from the expiry of the previous term as stated above.	
Signature Registrar General	Date

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FORM M1 (regulation 32)

REPUBLIC OF THE GAMBIA

THE INDUSTRIAL PROPERTY ACT Cap. 95:03
THE INDUSTRIAL PROPERTY REGULATIONS 2010
Fee Schedule 2 Item 18*(excludes Publication Charge)*
Application for Registration of a Mark

To:
The Registrar General,
Attorney General's Chambers
Ministry of Justice,
Marina Parade, Banjul, The Gambia.

Application Number <i>(To be applied by the Registrar General)</i>	GM/M/
<p>1. Representation of the Mark <i>(To be within the space provided and accompanied by 3 identical representations)</i></p>	
<p>2. If the mark is or contains a word or words without any particular form of presentation, state "yes"</p>	
<p>3. If colour is claimed as an element of the mark, state "yes" opposite <i>and specify the colour</i></p>	
<p>4. If the application is for registration of a three-dimensional mark, state "yes" opposite <i>and ensure that the representations illustrate it clearly</i></p>	
<p>5. If the application is for registration of a collective mark, state "yes" opposite <i>and supply a copy of the regulations for its use in accordance with regulation 42</i></p>	
<p>6. List of Goods and/or Services for which the mark is to be registered and their Classes. <i>State below by Class under current International ("Nice") classification continuing on separate sheet if necessary</i></p>	
Class	Goods or Services

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7. Full name and address of the applicant Applicant's reference (Optional)		
Signature	Date	

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FORM M2 (regulation 33)

REPUBLIC OF THE GAMBIA

THE INDUSTRIAL PROPERTY ACT Cap. 95:03
THE INDUSTRIAL PROPERTY REGULATIONS 2010

No Fee

Withdrawal of Application for Registration of a Mark

To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Applicant	
5. The Registrar General is hereby notified that the above-mentioned application is withdrawn. It is recognised that there will be no refund of the application fee.	
Signature/s	Date

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FORM M3 (regulation 35)	
REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
No Fee	
Request by the Registrar General for correction of Application for Registration of a Mark and/or for missing documents	
From: The Registrar General, Attorney General's Chambers Ministry of justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Applicant	
5. Address for Service	

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<p>6. The Registrar General requires the applicant to correct the above-mentioned application and/or to furnish missing documents as set out opposite, within 30 days from service of this request.</p> <p><i>Note If this request is not complied with, within that time the application will become void</i></p>	
Signature/s	Date

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FORM M4 (regulation 36)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 No Fee but see Form M5 Notice of Acceptance of Application for Registration of a Mark And Request for Payment of Advertisement Fee	
From: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Applicant	
5. Address for Service	
6. The Registrar General hereby accepts the above-mentioned application and requires the applicant to remit the prescribed advertisement fee accompanied by form M 5, within 3 months from service of this request. <i>Note If this request is not complied with, within that time the application shall be deemed to have been withdrawn.</i>	
Signature Registrar General	Date

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FORM M5 (regulation 36)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 22 Notice of Payment of Advertisement Fee	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Applicant	
5. Address for Service	
6 Pursuant to the Registrar General's notice of acceptance, the prescribed advertisement fee on the above-mentioned application is remitted to the Registrar General herewith.	
Signature/s	Date

Intellectual Property Regulations, 2022

FORM M6 (regulation 35)

REPUBLIC OF THE GAMBIA		
<p>THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 23</p> <p>Notice of Opposition against Application for Registration of a Mark</p>		
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.		
1. Application Number	GM/M/	
2. Short Description of Mark		
3. Class or Classes		
4. Name of Applicant		
5. Address for Service of applicant		
6. Name and Address of Opponent		
7. Address for Service of Opponent		
8. The Opponent named and described above hereby gives notice to the Registrar General of opposition to the registration of the above-mentioned mark, on those grounds (as prescribed in section 29(2)(b) of the Industrial Property Act) which are set out in the Statement of Grounds filed herewith and marked " M 6 1 "		
9. The Opponent files herewith all	Number	Description of Item

Intellectual Property Regulations, 2022

<p>the evidence (if any) to be adduced in support of the Opposition. <i>Each item shall be identified opposite and distinguished by a number in the series “M 6 2 - ...”</i></p>		
Signature of Opponent	Date	

Note - This Notice of Opposition and all annexures shall be filed in duplicate

Intellectual Property Regulations, 2022

FORM M7 (regulation 35)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 23 Counter-statement in Support of Application for Registration of a Mark	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Applicant	
5. Address for Service of applicant	

Intellectual Property Regulations, 2022

6. Name and Address of Opponent		
7. Address for Service of Opponent		
8. The Applicant hereby gives notice to the Registrar General of the grounds on which he relies for his application, as set out in the Statement of Grounds filed herewith and marked “ M 7 1 ”		
9. The Applicant files herewith all the evidence (if any) to be adduced in support of the Counter-Statement. <i>Each item shall be identified opposite and distinguished by a number in the series “M 7 2 - ...”</i>	Number	Description of Item
Signature of Applicant	Date	

Note - This Counter-Statement and all annexures shall be filed in duplicate

Intellectual Property Regulations, 2022

FORM M8 (regulation 38)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
CERTIFICATE Of the Registration of a Mark	
1. Mark Number	GM/M/
Representation of the Mark	
3. Name and Address of Owner	
4. Address for Service	
5. Filing Date	6. Priority Date
7. Priority Country	8. Effective Date
9. Is the registered mark a collective mark? <i>If so the relevant Regulations are filed at the Registry</i>	yes / no
9. List of goods and/or services with corresponding class/es	
Class	Goods or Services

Intellectual Property Regulations, 2022

Signature Registrar General	Date of Completion of Registration

Intellectual Property Regulations, 2022

FORM M9 (regulation 39)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 26 Application for Renewal of the Registration of a Mark	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Registration Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Owner	

Intellectual Property Regulations, 2022

5. Address for Service	
6. Effective Date	
7. Date of Expiry of Current Term	
8. Application is hereby made for renewal of the registration of the above-mentioned Mark for an additional term of 10 years from the expiry of the current term as stated above.	
9. The prescribed fee under the Second Schedule to the Regulations is remitted herewith.	
Signature	Date

Intellectual Property Regulations, 2022

FORM M10 (regulation 39)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 26 Certificate of Renewal of the Registration of a Mark	
From: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Registration Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Owner	

Intellectual Property Regulations, 2022

5. Address for Service	
6. Date of Expiry of Current Term	
The registration of the above-mentioned Mark has been duly renewed for an additional term of 10 years from the expiry of the previous term as stated above..	
Signature Registrar General	Date

Intellectual Property Regulations, 2022

FORM G1 (regulation 50)

REPUBLIC OF THE GAMBIA	
<p>THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 28</p> <p>Application to Record a Change in the Particulars of an Industrial Property Right</p>	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Registration or Application Number	GM/ /
2. Type of Registration or Application <i>Delete as Necessary</i>	Patent
	Utility Model
	Industrial Design
	Mark
	Collective Mark
3. Title or Short Description of the Registration or Application	
4. Class or Classes <i>(if a Mark or Collective Mark)</i>	
5. Name of Owner or Applicant	

Intellectual Property Regulations, 2022

6. Address for Service	
7. Effective Date of Change	
8. Description of Change <i>The nature and details of the change must be clearly described including any new name or address or address for service to be set out in full</i>	
Signature	Date

Notes

1. See regulation 42 as to which changes may and may not be recorded.
2. It is **NOT** obligatory to send documentary evidence of the change with this form but the Registrar General may require evidence under Regulation 42(4). The owner or applicant **may** send evidence voluntarily to anticipate such a request and any such document from outside The Gambia shall be authenticated by Notary.
3. A single form may be used to record **the same change** against one or more registrations and/or applications comprising **the same type** of industrial property right (patent, mark, etc.). If more than one registration/application is involved, the prescribed fee is payable upon each of them.
4. If a series of changes is to be recorded, a separate application on this form G 1 must be used for each change, and shall be so completed as to show clearly the order in which the respective changes happened.

Intellectual Property Regulations, 2022

FORM G2 (regulation 43)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item 28 <i>(includes publication charge)</i> Application to Record a Licence of an Industrial Property Right	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Registration or Application Number	GM/ /
2. Type of Registration or Application <i>Delete as Necessary</i>	Patent
	Utility Model
	Industrial Design
	Mark
3. Title or Short Description of the Registration or Application	
4. Class or Classes <i>(if a Mark)</i>	
5. Name of Owner or Applicant	
6. Address for Service of Owner or Applicant	
7. Date of Commencement of Licence	
8. Expiry Date of Licence	
9. Geographical Limits of Licence	
10. Name and Full Address of Licensee	

Intellectual Property Regulations, 2022

11. Address for Service of Licensee	
12. A copy of the licence contract or document, summarised above, is submitted to the Registrar General herewith. It is recognised that the licence document shall be kept in confidence by the Registrar General who shall publish the dates of commencement and expiry of the contract, the geographical limits of the licence, the names and addresses of the parties and their addresses for service.	
Signature of Owner/Applicant	Date
Signature of Licensee	Date

Intellectual Property Regulations, 2022

SCHEDULE

Form M8 (Regulation 38)

REPUBLIC OF THE GAMBIA

THE INDUSTRIAL PROPERTY ACT Cap. 95:03
THE INDUSTRIAL PROPERTY REGULATIONS 2010

CERTIFICATE

Of the Registration of a Mark

1. Mark Number	GM/M/
2. Representation of the Mark	
3. Name and Address of Owner	
4. Address for Service	
5. Filing Date	
6. If convention priority has been validly claimed:	
a) Priority Country	b) Date from which claimed
7. Is the registered mark a collective mark? <i>If so the relevant Regulations are filed at the Registry</i>	yes / no
8. List of goods and/or services with corresponding class/es	
Class	Goods or Services
<p>1. The registration is valid for 10 years from the filing date stated at item 5 above. It may be renewed for consecutive periods of 10 years upon application and payment of the prescribed renewal fee.</p> <p>2. This certificate is invalid if there is any erasure or alteration.</p>	
Signature Registrar General	Date of Completion of Registration

Intellectual Property Regulations, 2022

FORM P8 (regulation 23)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee Schedule 2 Item & Table	
Payment of Annuity (to be filed in triplicate)	
Part A from the owner, applicant or agent To: The Registrar General,	
1. Patent or Application Number	GM/
2. Date of filing Application for the Registration of the Patent <i>(date/month/year)</i>	
3. Due Date of Annuity Now Being Paid <i>(date/month/year)</i> *	
4. Title of Invention	
5. Name/s of Owner/s	
6. Address for Service	
7. The annuity, falling due on the above-mentioned application or registration on the date stated at (3) above, is remitted to the Registrar General herewith in accordance with section 13(3) of the Industrial Property Act.	
Signature	Date
Part B Duplicate to be returned by the Registrar General To the above described owner, applicant or agent Receipt is hereby acknowledged of the annual fee detailed in Part A	
8. date of payment of annual fee	
9. Date of this acknowledgement	
Signature of Registrar General

** Note: An annuity for the maintenance of the patent application or registration falls due on the first anniversary of the date of application for registration and on each subsequent anniversary of that date*

Intellectual Property Regulations, 2022

FORM P10 (regulation 25B)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee: Schedule 2 Item 31 Request to convert patent application into application for utility model certificate, or to convert application for utility model certificate into patent application	
To: The Registrar General, Attorney General's Chambers Ministry of Justice, Marina Parade, Banjul, The Gambia.	
1. Patent or Utility Model Application Number	GM/
2. This application is at present for:- <i>Delete as necessary opposite</i>	A patent
	A utility model certificate
3. Title of Invention	
4. Name/s of Applicant/s	
5. Address for Service	
6. Application is hereby made to convert this application: <i>Delete as necessary opposite</i>	From a patent application into an application for utility model certificate
	From an application for utility model certificate into a patent application
7. The prescribed fee under the Second Schedule to the Regulations is remitted herewith.	
Signature	Date

Intellectual Property Regulations, 2022

FORM M2A (regulation 33)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee: Schedule 2 Item 32 Amendment of application for registration of a mark, or amendment of priority claim relating thereto	
To: The Registrar General, Attorney General's Chambers Ministry of Justice, Marina Parade, Banjul, The Gambia.	
1. Application Number	GM/M/
2. Short Description of Mark	
3. Class or Classes	
4. Name of Applicant	
5. Address for Service	
6. The Registrar General is hereby notified of the amendment of the above-mentioned application or of the priority claim in the manner set out opposite.	<i>Description of amendment (may continue on separate sheet)</i>
7. The prescribed fee under the Second Schedule to the Regulations is remitted herewith.	
Signature	Date

Intellectual Property Regulations, 2022

FORM G1 (regulation 42)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010 Fee: Schedule 2 Item 28	
Application to Record a Change in the Particulars of an Industrial Property Right	
To: The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.	
1. Registration or Application Number	GM/ /
2. Type of Registration or Application <i>Delete as Necessary</i>	Patent
	Utility Model
	Industrial Design
	Mark
	Collective Mark
3. Title or Short Description of the Registration or Application	
4. Class or Classes <i>(if a Mark or Collective Mark)</i>	
5. Name of Owner or Applicant	
6. Address for Service	
7. Effective Date of Change	
8. Description of Change <i>The nature and details of the change must be clearly described including any new name or address or address for service to be set out in full</i>	
Signature	Date

Notes

1. See regulation 42 as to which changes may and may not be recorded.

Intellectual Property Regulations, 2022

2. It is **NOT** obligatory to send documentary evidence of the change with this form but the Registrar General may require evidence under Regulation 42(4). The owner or applicant **may** send evidence voluntarily to anticipate such a request and any such document from outside The Gambia shall be authenticated by Notary.
3. A single form may be used to record **the same change** against one or more registrations and/or applications comprising **the same type** of industrial property right (patent, mark, etc.). If more than one registration/application is involved, the prescribed fee is payable upon each of them.
4. If a series of changes is to be recorded, a separate application on this form G 1 must be used for each change, and shall be so completed as to show clearly the order in which the respective changes happened.

Intellectual Property Regulations, 2022

FORM G2 (regulation 43)

REPUBLIC OF THE GAMBIA	
<p>THE INDUSTRIAL PROPERTY ACT Cap. 95:03</p> <p>THE INDUSTRIAL PROPERTY REGULATIONS 2010</p> <p>Fee: Schedule 2 Item 28 <i>(includes publication charge)</i></p> <p style="text-align: center;">Application for Recordal of a Licence of an Industrial Property Right</p>	
<p>To:</p> <p>The Registrar General, Attorney General's Chambers Ministry of Justice Marina Parade, Banjul, The Gambia.</p>	
1. Registration or Application Number	GM/ /
2. Type of Registration or Application <i>Delete as Necessary</i>	Patent
	Utility Model
	Industrial Design
	Mark
3. Title or Short Description of the Registration or Application	
4. Class or Classes <i>(if a Mark)</i>	
5. Name of Owner or Applicant	
6. Address for Service of Owner or Applicant	
7. Date of Commencement of Licence	
8. Expiry Date of Licence	
9. Geographical Limits of Licence	
10. Name and Full Address of Licensee	
11. Address for Service of Licensee	
<p>12. A copy of the licence contract or document, summarised above, is submitted to the Registrar General herewith. It is recognised that the licence document shall be kept in confidence by the Registrar General who shall publish the dates of commencement and expiry of the contract, the geographical limits of the licence, the names and addresses of the parties and their addresses for service.</p>	
<p>Signature of Owner/Applicant</p> <p>.....</p>	<p>Date</p>
<p>Signature of Licensee</p> <p>.....</p>	<p>Date</p>

Intellectual Property Regulations, 2022

Form G3 (Regulation 46(2))

**Format of notice in the Trade Marks Journal (Gambia Gazette)
publishing changes in ownership of industrial property rights and applications therefore
Pursuant to section 37(1) of the Act**

THE INDUSTRIAL PROPERTY ACT Cap. 95:03; THE INDUSTRIAL PROPERTY REGULATIONS 2008				
Pursuant to section 37(1) of the Act, the following changes are hereby published in the ownership of registered industrial property rights and applications therefor. Additional details, for example of parties' home addresses and addresses for service, may be obtained by search at the Registrar General's office upon payment of the prescribed fee.				
A. MARKS				
1. Assignments, transfers and/or transmissions				
Registration No.	Title of Mark	Old Owner	New Owner	Date of Change
2. Changes of Name				
Registration No.	Title of Mark	Party's identity (Owner, etc.) and Old Name	New Name	Date of Change
3. Changes of Address				
Registration No.	Title of Mark	Party's identity (Owner, etc.) and Name	New Address	Date of Change
<i>{The Notice is to be adjusted as necessary by deletion of inapplicable sections, when no such change is to be published; and similarly completed for other changes, and for other rights, namely patents, utility models and industrial designs}</i>				
Signature Registrar General, Attorney General's Chambers, Ministry of Justice, Marina Parade, Banjul,		Date		

Intellectual Property Regulations, 2022

Form G4 (Regulation 43(2))

Format of notice in the Trade Marks Journal (Gambia Gazette)

Publishing certain particulars of an industrial property licence pursuant to section 37(5) of the Act

THE INDUSTRIAL PROPERTY ACT Cap. 95:03; THE INDUSTRIAL PROPERTY REGULATIONS 2008	
<p>Pursuant to section 37(5) of the Act, particulars are hereby published of a licence contract concerning a registered industrial property right or application therefor.</p> <p>Certain additional details, for example of parties' home addresses and addresses for service, may be obtained by search at the Registrar General's office upon payment of the prescribed fee.</p> <p>The contents of the contract are confidential as required by the same section.</p>	
1. Registration or Application Number	GM/ /
2. Type of Registration or Application	<i>Insert patent, mark, collective mark industrial design or utility model certificate as appropriate</i>
3. Title or Short Description	
4. Name of Owner or Applicant	
5. Name of Licensee	
6. Date of Commencement of Licence	
7. Date of Expiry	<i>If no stated date, insert "Indeterminate"</i>
8. Geographical Limits	
Signature Registrar General, Attorney General's Chambers, Ministry of Justice, Marina Parade, Banjul,	Date

Intellectual Property Regulations, 2022

Form G5 (Regulation 46(2))

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2008 Fee: Schedule 2 Item 33 Application for extract, copy or certificate	
To the Registrar General, Attorney General's Chambers, Ministry of Justice, Marina Parade, Banjul, The Gambia.	
The Registrar General is hereby requested to issue the following extract, copy or certificate relating to the industrial property right described below. The prescribed fee under the Second Schedule to the Regulations is remitted herewith.	
1. Details of the industrial property right in relation to which the request is made	
a) Registration or Application Number	GM/ /
b) Type of Registration or Application <i>Delete as Necessary</i>	Patent
	Utility Model
	Industrial Design
	Mark
	Collective Mark
c) Title or Short Description of the Registration or Application	
d) Name of Owner or Applicant <i>of the said industrial property right</i>	
2. Details of the person making this request	
a) Name	
b) Address for Service	
3. Description of Document now requested <i>The nature and details of the requested document must be clearly described. Registry staff may be consulted to make sure the request is clear and complete.</i>	
Signature	Date

Intellectual Property Regulations, 2022

Form G6 (Regulation 42)

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
CERTIFICATE OF RECORDAL OF AMENDMENT TO REGISTRATION OF AN INTELLECTUAL PROPERTY RIGHT	
From the Registrar General Attorney General's Chambers, Ministry of Justice, Marina Parade, Banjul, The Gambia	
1. Registration Number	GM/
2. Category of intellectual property right	Patent
	Utility Model
	Industrial Design
	Mark
	Collective Mark
3. Title or Short Description of Registration	
4. Class or Classes (if applicable)	
5. Name of Owner as Previously Registered	
6. Address for Service	
7. The registration of the above-mentioned Industrial Property Right has been amended as follows	
Signature Registrar General	Date

Intellectual Property Regulations, 2022

Form G7 (Regulation 43(3))

REPUBLIC OF THE GAMBIA	
THE INDUSTRIAL PROPERTY ACT Cap. 95:03 THE INDUSTRIAL PROPERTY REGULATIONS 2010	
CERTIFICATE OF RECORDAL OF LICENCE OF AN INDUSTRIAL PROPERTY RIGHT Or Application Therefor	
From the Registrar General Attorney General's Chambers, Ministry of Justice, Marina Parade, Banjul, The Gambia	
1. Registration or Application Number	GM/
2. Category of intellectual property right	Patent
	Utility Model
	Industrial Design
	Mark
	Collective Mark
3. Title or Short Description	
4. Class or Classes (if applicable)	
5. Owner's or Applicant's Name	
6. A licence of the above-mentioned Industrial Property Right, or application therefor, has been duly recorded as follows:-	
a) Licensee's Name	
b) Licensee's Address	
c) Licensee's Address for Service	
d) Date of Commencement of Licence	
e) Date of Expiry	<i>If no stated date, insert "Indeterminate"</i>
f) Geographical Limits	
Signature Registrar General	Date

Intellectual Property Regulations, 2022

SECOND SCHEDULE

TABLE OF FEES (regulation 3)

REPUBLIC OF THE GAMBIA					
THE INDUSTRIAL PROPERTY ACT Cap. 95:03					
THE INDUSTRIAL PROPERTY REGULATIONS 2010					
Second Schedule to the Regulations - Table of Fees					
Item No.	Item	Regulation	Fees		Form
			Gambian Applicant (dalasis)	Overseas Applicant US\$ ¹	
1	Application for Grant of a Patent (<i>includes examination, grant and publication</i>)	10	5000	400	P1
2	Withdrawal of Patent Application	16	Nil	Nil	P2
3	Amendment of Patent Application or Priority Claim	8(3), 17	1500	120	P3
4	Request for Correction of Patent Application	19(2)&(3)	Nil	Nil	P4
5	Record of Particulars of Patent Registration	21	Nil	Nil	P5
6	Certificate of Grant of Patent	21	Nil	Nil	P6
7	Application for Extension of Patent Term	23(1)	2500	200	P7
8	Notice of Payment of Annual Fee	23(2)		See Table	P8
9	Request for Grant of Non-Voluntary Licence	24(1)	3125	250	P9
10	Application for Registration of an Industrial Design	27	3125	250	D1
11	Withdrawal of Industrial Design Application	28(1)	Nil	Nil	D2
12	Amendment of Industrial Design Application or Priority Claim	28(2)	1500	120	D3
12	Request for Correction of Industrial Design Application	28(3)	Nil	Nil	D4
14	Record of Particulars of Industrial Design Registration	28(4)	Nil	Nil	D5
15	Certificate of Registration of an Industrial Design	28(4)	Nil	Nil	D6
16	Application for Renewal of an Industrial Design	30(1)	2500	200	D7
17	Certificate of Renewal of an Industrial Design	30(4)	Nil	Nil	D8
18	Application for Registration of a Mark	First or only class of goods/services included	30	2500	M1
		Each additional class	30	1250	
19	Withdrawal of Application for Registration of a Mark	31	Nil	Nil	M2
20	Request for Correction of Application for Registration of a Mark	33	Nil	Nil	M3
21	Notice of acceptance and request for Advertisement Fee	34(2)	Nil	Nil	M4
22	Notice of Payment of Advertisement Fee	34(3)	1250	100	M5
23	Notice of Opposition against Application for Registration of a Mark	35(1)-(3)	3750	300	M6

Intellectual Property Regulations, 2022

24	Counter-Statement	35(4)	3750	300	M7
25	Certificate of Registration of Mark	38(1)	Nil	Nil	M8
26	Application for Renewal of Registration of a Mark	39(1)	3125	250	M9
27	Certificate of Renewal of Registration of a Mark	39(5)	Nil	Nil	M10
28	Application for Recordal of Change Per registration or Application involved in the change	42(3)	1875	150	G1
29	Application for Recordal of a Licence (including publication)	43	3750	300	G2
30	Form of Authorisation of Agent	6(2)(a)	Nil	Nil	A1

31	Conversion from patent application to utility model application and vice versa	25B	2500	200	P10
32	Amendment of a mark application or priority claim	33	1250	100	M2A
33	Consultation of the registers	46(1)	250	10	-
34	Application for extract, copy or certificate from registers	46(2)	500	20	G5

Intellectual Property Regulations, 2022

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REPUBLIC OF THE GAMBIA

THE INDUSTRIAL PROPERTY ACT Cap. 95:03

THE INDUSTRIAL PROPERTY REGULATIONS 2008

Section 13(3), Regulation 24(2)

Annexe to Second Schedule - Table of Patent Annuities

Due Date (Anniversary of Filing Date)	Gambian Applicant	Overseas Applicant US\$
1st		250
2nd - 9th inclusive		300
10th		400
11th		500
12th		600
13th		700
14th		800
15th		900
16th		1,000
17th		1,100
18th		1,200
19th		1,300

COPYRIGHT AND RELATED RIGHTS APPLICATION FORM

FORM CR 1



APPLICATION NUMBER;

DATE:

A	TITLE OF WORK	NATURE OF DEPOSIT:

Intellectual Property Regulations, 2022

		<i>Demo tape</i> <i>Published</i> <i>Manuscript</i> <i>Photograph</i>
B.	LIST OF TITLES IN WORK	Type of deposit <i>cassette</i> <i>Photograph</i> <i>Compact Disc</i> <i>Model</i> <i>VCD</i> <i>Book</i> <i>Manuscript</i> <i>Others (indicate)</i>
IS THIS WORK MADE FOR HIRE? YES..... NO:		
C	NAME OF APPLICANT (PRINT SURNAME FIRST or NAME OF BAND (If registration is being made in the name of a band you are required to add the list of composers)	

D	TRANSFER (if the copyright claimants) named above are different from the author give a brief statement of how the claimant obtained ownership of the copyright																					
E	RE-ARRANGEMENTS AND ADAPTATION If any of the works listed above was either of folkloric origin, re-arranged or adapted by applicant, kindly list them providing their original authors /composer if known <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 45%; text-align: center;">TITLE</th> <th style="width: 50%; text-align: center;">COMPOSER</th> </tr> </thead> <tbody> <tr><td>1.</td><td></td><td></td></tr> <tr><td>2.</td><td></td><td></td></tr> <tr><td>3.</td><td></td><td></td></tr> <tr><td>4.</td><td></td><td></td></tr> <tr><td>5.</td><td></td><td></td></tr> <tr><td>6.</td><td></td><td></td></tr> </tbody> </table>		TITLE	COMPOSER	1.			2.			3.			4.			5.			6.		
	TITLE	COMPOSER																				
1.																						
2.																						
3.																						
4.																						
5.																						
6.																						
F	PRODUCER/PUBLISHER/AUTHOR Name (Firm/Company./Person) label/production mark Address : Tel: E mail:																					
G	PREVIOUS REGISTRATION - Has registration for this work, or an earlier version of this work been made in the Copyright Office? YES NO.....																					

Intellectual Property Regulations, 2022

	<p>IF YES, why is another registration being sought? (Tick the appropriate box)</p> <p>() This is the first published edition of the work previously registered in unpublished form</p> <p>() This is the first application submitted by this author as Copyright claimant</p> <p>() This is a changed version of the work</p> <p>If your answer is YES give the following information</p> <p>Previous registration number Year of Registration</p> <p>Were you issued with a certificate? Yes No</p>
H.	<p>COMPILATION OR DERIVATIVE WORKS</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>MATERIAL ADDED TO THIS WORK (Give a brief statement of the material added)</p> <p>.....</p> <p>.....</p>
I	<p>CINEMATOGRAPHIC WORKS</p> <p>VIDEO FORMAT CELLULOID VCD</p> <p>NAME OF SCRIPT WRITER ADDRESS:</p> <p>DO YOU HAVE ABOVE NAME CONSENT BEFORE FILMING THE SCRIPT YES NO</p> <p>(You are required to provide documentary evidence in all cases)</p> <p>Number of performers (kindly provide the documentary agreements)</p>
J	<p>CERTIFICATION:</p> <p>I, the undersigned, hereby certify that I am the (Tick one)</p> <p>() Author/ composer () producer/ publisher () owner of exclusive right or</p> <p>Authorized agent</p> <p>(name of author/other copyright claimant/exclusive right owner) and the information given is correct to the best of my knowledge.</p> <p>Handwritten signature (x)</p> <p>Typed or printed name Date</p>

Made this.....day of.....2022.

.....

DAWDA D. JALLOW
ATTORNEY GENERAL AND MINISTER OF JUSTICE

Intellectual Property Regulations, 2022