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## OAPI Trademark Registration Costs and Registration Procedures

The legal basis of the African Intellectual Property Organization (OAPI) trademark is Bangui Agreement Relating to the Creation of an African Intellectual Property Organization, Constituting a Revision of the Agreement Relating to the Creation of an African and Malagasy Office of Industrial Property. Trademark Registration in the OAPI grants protection in 17 countries, such as Congo, Central African Republic, Benin, Niger, etc. The OAPI is a member of the Madrid Protocol. The OAPI adopts first-to-file basis for trademark protection. A trademark registration is valid for 10 years from the date of application and could be renewed for 10 years before the expiry date.

### 1. The OAPI Trademark Registration Fees

| Services   |                       | Fees (USD) |
|--|-----------------------|------------|
| <b>Step 1: Pre-filing Search</b>   |                       |            |
|  | First three classes   | 830        |
|  | Each additional class | 225        |
| (1) Pre-filing search is not compulsory in the OAPI.<br>(2) Pre-filing search is limited to the Department of Industrial Property Protection (DPI) of the OAPI's database only.<br>(3) Pre-filing search report is delivered in 15 working days by email.  |                       |            |
| <b>Step 2: Trademark Registration Request</b>  |                       |            |
|  | First three classes   | 2,630      |
|  | Each additional class | 665        |
| (1) Fees cover both our service fees and official filing fees.<br>(2) Fees for trademark registration request listed above cover no more than 20 items of products or services in each class. Each item in excess of 20 will be charged with an extra fee of USD10.<br>(3) Multiple-class applications are possible in the OAPI. However, separate applications have to be filed for goods and services. |                       |            |
| <b>Step 3: Final Registration/Certificate</b>  |                       |            |
|  | Each application      | 235        |

Note:

- (1) The fixed fees quoted above apply only to trademark applications which are unopposed and proceed without complication.
- (2) All fees quoted above do not include fax, bank charge, copying and delivery fees.
- (3) Fee for claiming priority is USD435 for each application.

## 2. Calculation of Registration Costs

### Example 1: One mark one class

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear), that is, one mark one class, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: USD830  
Request for registration: USD2,630  
Final registration/Certificate: USD235  
**TOTAL: USD3,695**

### Example 2: One mark four classes

If you want to have your trademark "ABC" registered in Class 7 (machines and machine tools etc), Class 25 (clothing, footwear, headgear), Class 26 (ribbons and braid) and Class 27 (carpets, rugs and mats), that is, one mark four classes, the total fees for trademark pre-filing search and registration request and certificate are:

Pre-filing search:  $830 + 225 = \text{USD}1,055$   
Request for registration:  $2,630 + 665 = \text{USD}3,295$   
Final registration/Certificate: USD235  
**TOTAL: USD4,585**

### Example 3: Two marks one class

If you want to have your trademarks "ABC" and "DEF" registered in Class 25 (clothing, footwear, headgear), that is, two marks one class, the total fees for trademark pre-filing searches, registration requests and certificates are:

Pre-filing searches:  $830 + 830 = \text{USD}1,660$   
Request for registrations:  $2,630 + 2,630 = \text{USD}5,260$   
Final registrations/Certificates:  $235 + 235 = \text{USD}470$   
**TOTAL: USD7,390**

The costs illustrated in the examples above are based on the assumption of a smooth application, that is, no objection being raised by the DPI or any other third party. Also, the costs stated above exclude fax, bank charge, copying, courier charges for sending the Power of Attorney and delivery of Certificate of Registration upon acceptance of registration.

It is further assumed that the number of items of products included in each class is no more than 20. Each additional item after the first 20 is charged at a fee of USD10.

### **3. Materials Required for Filing of Trademark Application in the OAPI**

- (1) A Power of Attorney (to be provided by Kaizen) simply signed by the applicant.
- (2) A duly completed trademark search/registration order form (to be provided by Kaizen).
- (3) A soft copy of the trademark in JPEG format.
- (4) A copy of identity proof of the applicant (passport for individuals and Business Registration Certificate/Certificate of Incorporation for companies).
- (5) A priority document with verified French or English translation when priority is claimed (extra charge will be charged for filing priority claim documents).

### **4. The OAPI Trademark Application Procedures**

- (1) Kaizen acknowledges the information including the specimens of mark, its goods/services and registration details, then provides the latest quotation, preliminary advice and classifies your goods/services;
- (2) After the quotation has been confirmed, client will be required to complete our Trademark Search/ Registration Order Form and send it back to Kaizen by email, fax or post;
- (3) Once receipt of the payment for pre-filing search, Kaizen will conduct the pre-filing search (if requested). The search report will be sent to client within 15 working days (based on the duration of the official search);
- (4) Client could refer to our analysis and suggestion in the search report and decide whether to file the application. Kaizen will file trademark application to the DPI upon receipt of your payment and instruction;
- (5) The DPI will conduct a registrability examination, assign application number and create digitally and physically file (“the one-stop-shop”). The physical file is transmitted to the DPI. It will further conduct a technical examination, issue registration order and certificate and then transmit the file to the Department in Charge of Publication, the Department of Technical Assistance and Development (DAT);
- (6) The DAT will publish the registered trademark in the IP Official Gazette (BOPI). A period of 6 months from the publication date will be offered for opposition.

## 5. Time scale

Currently it takes around **24 - 36** months to get a trademark registered in the OAPI in a smooth case.

## 6. Payment Term and Payment Method

Our fees for each stage of an application are to be invoiced and settled before the commencement of each stage of service. If a China or Taiwan Value-Added Tax invoice is required, 7% or 5% additional charge will be incurred.

We currently accept cheque, cash, TT and credit card through Paypal (5% additional charge will incur for paypal). [Please click here for payment methods.](#)

## 7. Refund Policy

No refund of fees will be made after the commencement of services. For example, if we have conducted a pre-filing search and found an identical mark is already in the register, the application will not be proceeded, the fees for pre-filing search will not be refunded. If we have already filed an application and the application is objected by the DPI or any other party or refused, there will not be any refunded of fees.

In case you have paid our fees for all three stages of an application and the search result indicates that an identical mark is already in the register, the application will not be proceeded. The fees for services not performed, i.e., filing for application and issuing of certificate of registration will be refunded, after deducting bank wiring charge.