



# Industrial Design Registration in Zimbabwe

## INTRODUCTION

The Zimbabwe Intellectual Property Office (ZIPO) was officially opened in 1894. It opened as a section under the Deeds Office, a set up still existing today. Within ZIPO are various registers maintained by the Controller of Patents, Trademarks and Designs. The brochure offers a step by step process to be followed when registering Industrial Designs.

## WHAT IS AN INDUSTRIAL DESIGN?

- An industrial design is that feature of a useful article which is decorative or appealing. It may consist of three-dimensional features such as the shape or surface of the article, or two-dimensional features such as patterns, lines or color. In terms of the Industrial Act [*Chapter 26.03*] it means the outside appearance, shape, configuration, pattern or beautification of a useful article.

## WHAT KIND OF PRODUCTS CAN BENEFIT FROM INDUSTRIAL DESIGN PROTECTION?

- Industrial designs are applied to a wide variety of products from industry and handmade items: these include packages and containers to furniture and household goods, from lighting equipment to jewellery and from electronic devices to textiles.

## WHY PROTECT INDUSTRIAL DESIGNS?

- The owner of the registered industrial design has the right to prevent third parties from making, selling or importing articles bearing or embodying a design which is a copy, or substantially a copy of the protected design, when such acts are undertaken for commercial purposes.
- When the industrial design is protected, the owner-person or entity that has registered the design is assured an exclusive right against unauthorised copying or imitation of the design by third parties.
- Protecting industrial designs helps economic development by encouraging creativity in the industrial and manufacturing sectors, as well as in traditional arts and crafts.

## WHAT RIGHTS DOES A REGISTERED DESIGN CONFER?

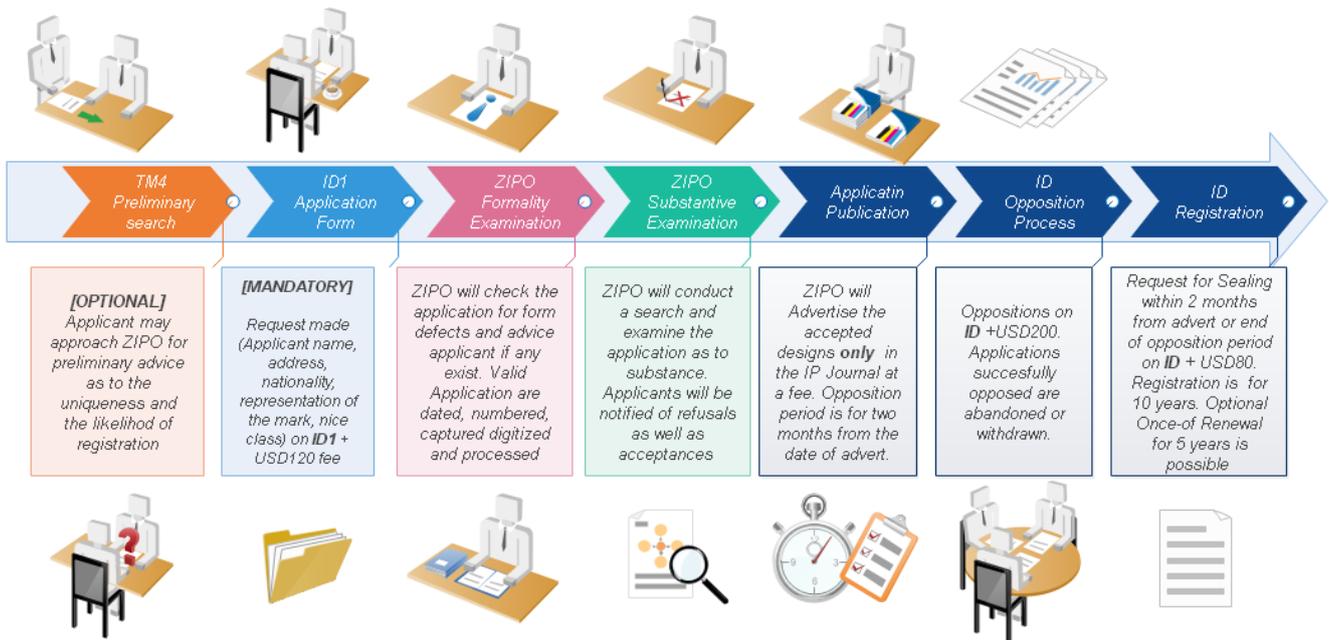
- If you are the owner of a registered design, you have the exclusive right to use the design (monopoly right to prevent any third party use).
- You can take action against any design that produces on an informed user the same overall impression as your registered design.
- Nobody may use your registered design without your consent.

## REGISTRATION TEST

In Zimbabwe, registrable designs must:

- **Be New.** It must not be known or used by anyone other than the applicant, nor described or illustrated in a publication in or outside Zimbabwe, nor prior registered.
- **Be Useful.** Design must have a practical use.

# PROCEDURE FOR REGISTERING AN INDUSTRIAL DESIGN IN ZIMBABWE



The brochure was prepared by the Intellectual Property Technical Working Group for the Rapid Results Initiative on Functionality of the National Science Technology and Innovation System

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