

# OFFICE OF INDUSTRIAL PROPERTY AND COMMERCE OF DJIBOUTI (ODPIC)

AS  
DESIGNATED (OR ELECTED) OFFICE

## CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees . . . . .	Annex DJ.I
Request for entry into the national phase for a patent or a certificate of addition . . . . .	Annex DJ.II
Statement of invention of an employee during the national phase . . . . .	Annex DJ.III

### List of abbreviations:

Office : Office of Industrial Property and Commerce of Djibouti (ODPIC)

DPL : Law No. 50/AN/09/6<sup>th</sup> L on the Protection of Industrial Property

DL 079 : Decree No. 2011-079/PR/MDCC implementing Law No. 50/AN/09/6<sup>th</sup> L

**SUMMARY****Designated  
(or elected) Office****SUMMARY****DJ****OFFICE OF INDUSTRIAL PROPERTY AND  
COMMERCE OF DJIBOUTI (ODPIC)****DJ****Summary of requirements for entry into the national phase**

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(a): 30 months from the priority date
Translation of international application required into: <sup>1</sup>	Arabic, English or French
Required contents of the translation for entry into the national phase: <sup>1</sup>	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: <sup>1</sup>	Currency: Djibouti franc (DJF) or equivalent in US dollar (USD) For patent: Filing fee: DJF 217,500 For certificate of addition: Filing fee: DJF 217,500
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51 <i>bis</i> ): <sup>2</sup>	Appointment of an agent if the applicant is not resident in Djibouti Name and address of the inventor if they have not been furnished in the "Request" part of the international application <sup>3</sup> Statement or notice as to the applicant's entitlement to apply for and be granted a patent <sup>3</sup> Statement or notice as to the applicant's entitlement to claim priority of the earlier application <sup>3</sup> Instrument of assignment of the international application if the applicant has changed after the international filing date
Who can act as agent?	Any natural or legal person resident in Djibouti
Does the Office accept requests for restoration of the right of priority (PCT Rule 49 <i>ter.2</i> )?	Yes, the Office applies both the "unintentional" and the "due care" criteria to such requests

<sup>1</sup> Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

<sup>2</sup> If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of three months from the date of receipt of the invitation.

<sup>3</sup> This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

## THE PROCEDURE IN THE NATIONAL PHASE

- DJ.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The Office has available a special form for entering the national phase (see Annex DJ.II). This form should preferably (but need not) be used.
- PCT Art. 46 DJ.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).
- DJ.03 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex DJ.I.
- DPL 18 DJ.04 **INVENTOR.** The indication of the name of the inventor is required and must be furnished, at the latest, at the time of entry into the national phase. If the applicant has not complied with the requirement within the prescribed time limit under PCT Article 22 or 39(1), the Office will invite him to comply within a time limit of three months from the receipt of the invitation. If the inventor is an employee, in the absence of any more favorable contractual provision for the employee, the inventions made by the employee belong to the employer if the employment contract specifies the inventive character of the employee's work.
- DPL 41 DJ.05 **EXAMINATION.** The Office will base the grant of the patent on the results of the international search and examination.
- DPL 47 DJ.06 **GRANT OF THE PATENT.** Patents are granted after expiry of the three-month time limit from the date of publication of the patent application, provided that there is no opposition.
- DPL 4 DJ.07 **APPOINTMENT OF AN AGENT.** If the applicant does not reside in Djibouti, an agent domiciled or registered to practice in Djibouti, must be appointed. A power of attorney is required.
- PCT Art. 28  
41 DJ.08 **AMENDMENT OF THE APPLICATION.** Amendments or corrections may be made in the national phase up to the grant of the patent, provided that the scope of the subject matter of the application is not broadened thereby (subject to the payment of the fee for amendment indicated in Annex DJ.I).
- DPL 41
- DPL 30 DJ.09 **CERTIFICATE OF ADDITION.** The applicant may, upon entry into the national phase, apply for a certificate of addition or a patent. Upon request of the applicant, an application for a certificate of addition may be converted into an application for a patent at any time before grant of the certificate of addition. The conversion into an application for a patent takes effect from the date of the international filing date of the application.
- DPL 81  
DL079 Art. 39 DJ.10 **MAINTENANCE FEE.** A maintenance fee is due as from the sixth year after the international filing date until the expiration of the patent protection period. It has to be paid for each period of five years. The payment has to be made at the latest on the anniversary of the international filing date. Payment can be made together with a surcharge for late payment (see Annex DJ.I) within an additional period of six months from the date of anniversary of the international filing date.
- DPL 81 DJ.11 **RESTORATION OF A LAPSED PATENT.** If a patent lapses through non-payment of maintenance fees, an application for restoration may be made within three months from the date when the patent has lapsed and subject to the payment of fees before the expiration of the three-month period.

PCT Art. 25  
PCT Rule 51

**DJ.12 REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Art. 24.2)  
48.2)  
PCT Rule 82*bis*

**DJ.13 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 37  
PCT Rule 49.6

**DJ.14 REINSTATEMENT OF RIGHTS.** Reinstatement of rights may be requested where the applicant, in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. A request for reinstatement must be presented in writing within two months from the removal of the cause of the failure to observe the time limit or 12 months from the date of expiration of the applicable time limit, whichever time limit expires earlier. Within the said two months, the omitted action must be completed.

## FEES

**(Currency : Djibouti franc (DJF) (unless indicated otherwise) or equivalent amount in US dollar (USD))**

### Patents

Filing fee (comprising examination fee, grant fee, publication fee and maintenance fees for the first 5 years) .....	217,500
Fee for amendment .....	10,000
Maintenance fees :	
– for the 6 <sup>th</sup> to the 10 <sup>th</sup> years .....	75,000
– for the 11 <sup>th</sup> to the 15 <sup>th</sup> years .....	100,000
– for the 16 <sup>th</sup> to the 20 <sup>th</sup> years .....	125,000
Surcharge for late payment of maintenance fee .....	20,000
Fee for restoration of the right of priority .....	USD 500

### Certificates of addition

Filing fee .....	217,500
Fee for amendment .....	10,000
Maintenance fees :	
– for the 6 <sup>th</sup> to the 10 <sup>th</sup> years .....	75,000
– for the 11 <sup>th</sup> to the 15 <sup>th</sup> years .....	100,000
– for the 16 <sup>th</sup> to the 20 <sup>th</sup> years .....	125,000
Surcharge for late payment of maintenance fees .....	20,000

### How can payment of fees be effected ?

The payment of fees must be effected in Djibouti francs or the equivalent amount in US dollars. All payments must give the application number (national if already known ; international if the national number is not yet known), the name of the applicant and the category of fee being paid.

The payment of fees can be effected in cash, by check or by bank transfer into the following account :

Beneficiary:	Office of Industrial Property and Commerce of Djibouti (ODPIC) – BP 2017 - Djibouti
Name of the bank:	Bank of Africa – mer Rouge
Account No.:	10760930000
IBAN :	DJ21 1000 2010 0110 7609 3000 007
SWIFT code:	MRINDJJD

OFFICE DJIBOUTIEN DE LA PROPRIETE  
INDUSTRIELLE ET COMMERCIALE  
(ODPIC)



REPUBLIQUE DE DJIBOUTI  
UNITE – EGALITE – PAIX

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

**PATENT OF INVENTION OR CERTIFICATE OF ADDITION**

**Deposit**

*(Form for Request of Entry into National Phase under Articles 22 of the Patent Cooperation Treaty)*

**PCT  
BR1**

This form is to be typewritten legibly without stripes no overwritten.

<b>1. APPLICATION FOR :</b>	<b>RESERVED FOR ODPIC</b>
Patent of invention <input type="checkbox"/>	Date of entry of the national phase:
Certificate of addition <input type="checkbox"/>	
<b>National patent applications N° or PCT N° or PCT publication N°:</b>	
<b>3. APPLICANT (S) :</b>	
(Please specify the name or the legal name and full address ).	
If there are multiple applicants ( In the case of joint proprietorship), use the form « Suite » and check the box <input type="checkbox"/>	
<b>4. INVENTOR(S) :</b>	
Name & Surname :	
Full address :	
If there are multiple inventors, use the form « Suite » and check the box <input type="checkbox"/>	
<b>5. The applicant has appointed as a representative (power attorney):</b>	
(Please specify the name or legal name and the full address) .	

**6. The changes that have not been registered to the International Office of the WIPO (please specify it on an additional sheet) :**

**7. Address for correspondence :**

**9. REQUIRED DOCUMENTS :**

- 1-The original the main document (description, claims, abstract, and drawings)
- 2- Potential amended claims under Article 19 of PCT
- 3-A copy of the search report and written opinion
- 4- Receipt of the deposit of biological material
- 5- Confirmation of payment ( In the case of a bank transfer )
- 6- Others documents (specify) :.....

**10. SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE :**

(name and title of the signatory)

**11. RESERVED FOR ODPIC**

(stamp and signature)

OFFICE DJIBOUTIEN DE LA PROPRIETE  
INDUSTRIELLE ET COMMERCIALE  
(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92



REPUBLIQUE DE DJIBOUTI  
UNITE – EGALITE – PAIX

## PATENT OF INVENTION OR CERTIFICATE OF ADDITION

### Deposit

(Form for Request of Entry into National Phase under Article 22 of the Patent Cooperation Treaty)

PCT  
BR1

This form is to be typewritten legibly without stripes nor overwritten.

### FORM « SUITE »

<b>APPLICATION FOR :</b>	<b>RESERVED FOR ODPIC</b>
Patent application <input type="checkbox"/>	Date entry of national phase :
Certificate of addition <input type="checkbox"/>	
<b>National patent applications N° or PCT N° or PCT publication N°:</b>	
<b>APPLICANT :</b>	
Name & Surname or Legal name :	
Address or head office :	
Telephone :	E-Mail address:
<b>APPLICANT :</b>	
Name & Surname or Legal name :	
Address or head office :	
Telephone :	Fax : E-Mail address :
<b>APPLICANT :</b>	
Name & Surname or Legal name :	
Address or head office :	
Telephone :	Fax : E-Mail address:
<b>APPLICANT :</b>	
Name & Surname or Legal name :	
Address or head office :	
Telephone:	Fax : E-Mail address :
<b>SIGNATURE OF APPLICANT OR HIS REPRESENTATIVE :</b>  (name and title of the signator)	<b>RESERVED FOR ODPIC</b> (stamp and signature)



OFFICE DJIBOUTIEN DE LA PROPRIETE  
INDUSTRIELLE ET COMMERCIALE  
(ODPIC)

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92



REPUBLIQUE DE DJIBOUTI  
UNITE – EGALITE – PAIX

**PATENT OF INVENTION OR CERTIFICATE OF ADDITION**

**Deposit**

*(Form for Request of Entry into National Phase under Article 22 of the Patent Cooperation Treaty)*

**BR1**

This form is to be typewritten legibly without stripes nor overwritten

**FORM « SUITE »**

<b>APPLICATION FOR :</b>	<b>RESERVED FOR ODPIC</b>
Patent application <input type="checkbox"/>	Date entry of national phase :
Certificate of addition <input type="checkbox"/>	
<b>National patent applications N° or PCT N° or PCT publication N°:</b>	
<b>INVENTOR :</b>	
Name & Surname :	
Address:	
<b>INVENTOR :</b>	
Name & Surname :	
Address :	
<b>INVENTOR :</b>	
Name & Surname :	
Address :	
<b>INVENTOR :</b>	
Name & Surname :	
Address :	
<b>INVENTOR :</b>	
Name & Surname :	
Address :	
<b>SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE :</b>  (name and title of the signator)	<b>RESERVED FOR ODPIC</b> (stamp and signature)

OFFICE DJIBOUTIEN DE LA PROPRIETE  
INDUSTRIELLE ET COMMERCIALE  
(ODPIC)



REPUBLIQUE DE DJIBOUTI  
UNITE – EGALITE – PAIX

Tel : 00 253 35 60 11 – Fax : 00 253 35 60 92

**PATENT OF INVENTION OR CERTIFICATE OF ADDITION**

**Deposit**

*(Form for Request of Entry into National Phase under Article 22 of the Patent Cooperation Treaty)*

**BR1**

This form is to be typewritten legibly without stripes nor overwritten

**FORM « SUITE »**

<b>APPLICATION FOR :</b>		<b>RESERVED FOR ODPIC</b>	
Patent application <input type="checkbox"/>		Date entry of national phase :	
Certificate of addition <input type="checkbox"/>			
<b>National patent applications N° or PCT N° or PCT publication N°:</b>			
<b>PRIORITY CLAIM</b> (When appropriate):			
	Filing N°	Filing Date	Country
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>Priority</b>			
<b>SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE :</b>  (name and title of the signator)		<b>RESERVED FOR ODPIC</b> (Stamp and signature)	



**3. Identification of inventor(s), in the case of several inventors their qualification(s) and duti(es) :**

<p><b>10. SIGNATURE OF THE APPLICANT OR HIS REPRESENTATIVE :</b>  (name and title of signatory)</p>	<p><b>11. RESERVED FOR ODPIC</b>  (Stamp and signature)</p>
---	---