GOVERNMENT NOTICE No. 352F published on 30/6/2025

THE MERCHANDISE MARKS ACT,
(CAP. 85)

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REGULATIONS

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(Made under section 25(2)(f))

THE MERCHANDISE MARKS (RECORDATION) REGULATIONS, 2025

PART I
PRELIMINARY PROVISIONS

Citation and commencement

1. These Regulations may be cited as the Merchandise Marks (Recordation) Regulations, 2025 and shall come into operation on 1st July, 2025.

Interpretation

2. In these Regulations, unless the context otherwise requires-

Cap. 85

"Act" means the Merchandise Marks Act;

"agent" means a person duly appointed to act on behalf of trademark owner, and includes a licensee or assignee;

"Chief Inspector" shall have the meaning ascribed to it under the Act; and

"registrant" means the owner of a trademark who has recorded it to the Chief Inspector and includes its authorised agent.

PART II
APPLICATION AND RECORDATION OF TRADEMARKS

Application for recordation of trademarks

3.-(1) An application to record one or more trademarks relating to goods to be imported into Mainland Tanzania shall be submitted to the Chief Inspector in writing and shall include the following information:

(a) particulars of the applicant including the full name, business address and telephone

number;

(b) nationality of the trademark owner, or in case of a partnership, the nationality of each partner, or in case of an association or corporation, the country or jurisdiction of incorporation;

(c) place of manufacture of goods bearing the trademark to be recorded;

(d) sample of the trademarked goods or a sufficient digital photographic representation of the trademarked goods with appropriate details for identification and differentiation from any counterfeits;

(e) names and business addresses of any foreign person or entities licensed to use the trademark, and the nature of such authorised use; and

(f) particulars of any parent, subsidiary, or affiliated companies under common ownership or control that use the trademark abroad.

(2) An application under subregulation (1) shall be in Form FCC 1 set out in the First Schedule and shall be accompanied by-

(a) a certified copy of the current trademark registration issued by the relevant registration authority, showing title in the name of the applicant;

(b) proof of payment of application fees as set out in the Second Schedule:

Provided that, if the trademark is registered for more than one class of goods, the fees for recordation shall be for each class.

(3) For the purpose of this regulation-

(a) "common ownership" means individual or aggregate ownership of more than fifty percent of the business entity; and

(b) "common control" means effective control in policy and operations and may not necessarily mean common ownership.

Review and

4.-(1) The Chief Inspector shall, within twenty-

determination of application for recordation

one days after receiving an application under regulation 3, review and approve or reject the application.

(2) The Chief Inspector shall, within five days after determination of application, notify the applicant of the decision made.

Effective date and validity of recordation

5.-(1) Recordation shall be deemed effective on the date the application is approved by the Chief Inspector.

(2) The recordation shall remain valid for one year from the date of approval.

(3) The recordation shall be deemed to be cancelled where the underlying trademark registration is revoked, cancelled, or the recordation is not renewed.

Assignment or transmission of recorded trademark

6.-(1) Where there is an assignment or transmission of ownership of a recorded trademark, and the new owner intends to maintain the recordation, he shall within thirty days after assignment or transmission, notify the Chief Inspector through Form FCC 2 set out in the First Schedule.

(2) Where the new owner fails to notify the Chief Inspector within the time specified under subregulation (1), the recorded trademark shall be deemed to be cancelled.

Change in name of owner of recorded trademark

7. Where there is a change in the name of the registrant without a transfer of ownership, the registrant shall within seven days notify the Chief Inspector in writing by submitting a certified copy of the change of name and any other relevant information.

Renewal of recordation

8.-(1) The owner of a recorded trademark shall submit an application for renewal in the prescribed manner not later than thirty days before the expiry of recordation.

(2) An application for renewal of recordation shall be accompanied with the information specified under regulation 3 and proof of payment of renewal fees prescribed in the Second Schedule.

Register of

9.-(1) The Chief Inspector shall maintain a

recorded trademarks

register into which shall be recorded all trademarks recorded under these Regulations and any other information as may be deemed necessary.

(2) A person may be authorised to search the register of recorded trademarks or obtain copies of particulars contained in the register upon payment of prescribed fees.

Appointment of agents

10.-(1) The owner of a trademark may appoint an agent to act on his behalf in the recordation of a trademark or any related procedure.

(2) The appointment of an agent in the recordation of a trademark or related procedures shall be made through a Power of Attorney.

Offence and penalty

11. A person who-

(a) deceives, misleads or gives any false information in relation to any application made to the Chief Inspector; or

(b) without authority or reasonable cause, alters any entry made in the register pursuant to these Regulations,

commits an offence and upon conviction shall be liable to a fine not exceeding ten million Tanzanian shillings or imprisonment for a term not exceeding twelve months, or both.

FIRST SCHEDULE

FORMS

FCC 1

APPLICATION TO RECORD TRADEMARK

(Made under regulation 3)

The Chief Inspector,

Fair Competition Commission (FCC)

1.	Name of applicant	
2.	Telephone number, postal and physical address of applicant	
3.	Details of trademark owner or partners of the association	
4.	Name, telephone number and physical address of agent, if any	
5.	Sample or photographic representation of the trademarked goods	
6.	Place of manufacture of goods bearing the trademark	
7.	Name and address of each foreign person or business entity authorised or licensed to use the trademark	
8.	The identity of any parent or subsidiary company or other foreign company under common ownership or control which uses the trademark abroad	
9.	Remarks	

Dated this……..day of …….20……

Name of Applicant……Signature……..

For official use only:

THIS APPLICATION IS APPROVED/REJECTED

……...

CHIEF INSPECTOR

NOTE:

If space provided is not sufficient, please use a separate sheet of paper.

FCC 2

APPLICATION TO CONTINUE RECORDATION ON CHANGE OF OWNERSHIP
(Made under regulation 6(1))

The Chief Inspector,

Fair Competition Commission (FCC)

1.	Name of the new trademark owner	
2.	Telephone number, postal and physical address of the new trademark owner	
3.	Name, telephone number, postal and physical address of the previous trademark owner	
4.	Effective date of the change of ownership.	
5.	Description of the time limit, if any, of the rights transferred.	

Dated this……..day of …….20……

Name of Applicant……Signature……..

For official use only

THIS APPLICATION IS APPROVED/REJECTED

……..
CHIEF INSPECTOR

NOTE:

If space provided is not sufficient, please use a separate sheet of paper.

SECOND SCHEDULE

(Made under regulation 3(2))

FEES FOR RECORDATION

No.	Description	Amount (TZS)
1.	Application to record trademarks	200,000.00
2.	Change of ownership	150,000.00
3.	Change of name	100,000.00
4.	Renewal of recordation	50,000.00
5.	Application for search	3,000.00
6.	Application for copies	3,000.00

Dodoma,
24th June, 2025

SELEMANI SAIDI JAFO,
Minister for Industry and Trade