



INTELLECTUAL PROPERTY RIGHTS

BORDER PROTECTION BY CUSTOMS



INTELLECTUAL PROPERTY RIGHTS (IPR)

Intellectual property (IP) is increasingly being recognised as an economic asset as Mauritius moves towards a knowledge-based economy. The capacity to exploit IP assets will be a determining factor in the development of the economy over the next decade.

Customs makes 90% of all seizures of counterfeit goods worldwide.

Customs is the primary Government agency responsible for regulating all imports and exports of goods. As an intellectual property right owner, you may ask Customs to help you in protecting your copyright or trademarks.

BENEFITS OF A ROBUST INTELLECTUAL PROPERTY RIGHTS SYSTEM

- ▶ Protects society from dangerous goods such as counterfeit pharmaceutical products and spare parts etc.
- ▶ Assist in the national socio-economic development.
- ▶ Stimulates innovation, encourages transfer of technology
- ▶ Attracts investment and correlates to national competitiveness.

PROCEDURES OF APPLICATION FOR BORDER PROTECTION

As the owner or authorised user of a patent, industrial design, collective mark, or mark, or copyright you may apply in writing to the Director-General, MRA to suspend the clearance of any goods imported or being exported on the grounds that your patent, industrial design, collective mark or mark or copyright is being or is likely to be infringed.

Pre-requirements for application are as follows:-

- a. Certified copy of registration card from Industrial Property Office
- b. Any evidence that you are the owner or the authorized user of a patent, industrial design or a copyright.
- c. A Power of Attorney in case you are not the right owner; and
- d. Security in the form of a bank guarantee

Once your application is approved, it will be valid for 2 years.

EX-OFFICIO ACTION

Customs may act upon its own initiative to suspend the clearance of goods where there is *prima facie* evidence that an intellectual property right is being infringed even if you have not yet made an application for border protection.

Customs will then contact you for follow up actions.

DE-MINIMIS IMPORTS

IPR laws have been enacted to protect IP right holders from commercial exploitation of their trademarks by unauthorized persons.

Small quantities of goods of a non-commercial nature, intended for personal use, sent in small consignments or contained in the luggage of a passenger, master or crew will be released by Customs.

INTERFACE PUBLIC-MEMBERS (IPM)

Right owners are recommended to join the IPM which was launched in Mauritius by the World Customs Organization in 2012.

The IPM is an online tool serving as an interface between frontline Customs officers and the private sector. It allows Customs officers to access operational data input by right owners concerning their products, thus facilitating the identification of counterfeit goods.

IPM MOBILE

Officers can use IPM mobile devices to scan barcodes found on millions of products, enabling them to search the products database.

Another feature is the possibility for IPM to interface with authentication and traceability solutions.

FOR FURTHER INFORMATION

Please contact:

IPR UNIT, CUSTOMS DEPARTMENT
Custom House, Mer Rouge, Port-Louis,
Mauritius.

Phone: +230 202 0500

Fax: +230 216 4361

E-mail: iprcustoms@mra.mu

OTHER USEFUL CONTACTS:

INDUSTRIAL PROPERTY OFFICE
7th Floor, Moorgate House,
Sir William Newton St, Port Louis
Mauritius.

Phone: +230 208 5714

Fax: +230 210 9702

E-mail: trademark@intnet.mu

MAURITIUS RIGHTS MANAGEMENT SOCIETY

Avenue des artistes, Beau-Bassin, Mauritius.

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ANTI PIRACY UNIT, ADSU

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Mauritius Revenue Authority

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