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INDUSTRIAL PROPERTY

Intellectual property is protected by a set of legal mechanisms that guarantee to Creators and copyright holders have exclusive rights to their creations. In simple terms, it protects Ideas that have been transformed into something concrete (a work of art, invention, brand, etc.).

Industrial property includes, in particular (i) **Brands** (distinctive sign that allows to distinguish products or services from a given entity), (ii) **Invention patents** (new products or processes), (iii) **Establishment insignias** (a sign that identifies and distinguishes a modern establishment), **Trade Name** (corporate name that identifies a particular legal entity or individual) and **Logos** (A sign consisting of suitable figures or designs. (referring to any entity)).

In Mozambique, the legal framework for industrial property is regulated by **Decree-Law no. 47/2015, of 31 August**. This decree regulates the protection of rights. industrial property, defining the registration procedures, as well as the rights and obligations of the respective holders.

The protection of industrial property rights depends on their registration, which has been carried out next to **Industrial Property Institute (IPI)**. The absence of registration generally implies that lack of effective legal protection.

The registration and protection of Industrial Property rights can be extended to level protection **regional** and **International**, through the applicable mechanisms.

Holders of industrial property rights are guaranteed, from the moment of registration, the ownership and exclusive right to use the registered industrial property right, during the its respective validity period, throughout the national territory, thus preventing third parties from...

use without authorization or that a new registration can be made regarding those creations (by third parties).

Additionally, industrial property allows:

- To ensure exclusivity over products, processes and distinctive signs;
- Differentiating goods and services in the market;
- Strengthen the company's image and credibility;
- To value the company's intangible assets; and
- To prevent unfair competition practices.

Failure to register can have significant consequences, such as:

- Loss of exclusive rights;
- Misappropriation by competitors;
- Risk of legal disputes and difficulties in defending rights in court;
- Brand devaluation or innovation.

The timely protection of industrial property rights is a determining factor for Legal certainty and sustainable growth for any business.