

## Leaflet Patents in South Africa

### Duration

The duration of the patent is 20 years from the date of filing the application, subject to the payment of annual renewal fees.

### Compulsory use

A patented invention should be worked in South Africa on a commercial scale or to an adequate extent after expiration of a period of 3 years from the date of sealing of the patent or 4 years from filing the application, whichever period ends last. If a patented invention without legitimate reasons is not so worked, it will become subject to the grant of a compulsory license upon request of an third party.

### Marking

Patented articles should be marked 'Patent No. ....' or 'Patented No. ....' followed by the number of the patent, with a view to the possibility to claim damages in case of infringement. Indication of the patent number is essential, as otherwise the marking will not be deemed to constitute a notice of the existence of the patent.

### License

A license contract should be recorded in the Register in order to be effective as against third parties. We suggest that you contact us if you plan to grant a license under your patent in the Republic of South Africa.