

## Frequently Asked Questions

### What is a patent?

A Patent is a title that gives an inventor exclusive rights to his invention. A patent protects new inventions and covers how things work, what they do, how they do it, what they are made of and how they are made. Generally, an "invention" is described as a solution to a technical problem in any field of science and technology.

### Why apply for a patent?

The patent provides the owner with the exclusive right to prevent others from commercially exploiting the invention for a limited period of time in return for disclosing the invention to the public. It gives the owner the right to prevent others from making, using, importing or selling the invention without permission.

### What are the criteria for an invention to be patentable?

To be patentable your invention must:

- be **new**
- have an **inventive step**, that is, not obvious to someone with knowledge and experience in the subject
- be industrially applicable

### What cannot be protected?

- discoveries, scientific theories and mathematical methods;
- literary, dramatic, musical or artistic works and any other aesthetic creation;
- schemes, rules or methods for doing business, performing purely mental acts and playing games;
- computer programmes;
- methods for the treatment of the human or animal body by surgery or therapy, including diagnostic methods practised on the human or animal body;
- known substances for which a new use has been discovered and not applicable to the use itself, where they constitute a patentable invention under section 11;
- plants and animals, including their parts, other than microorganisms, and essentially biological processes for the production of plants or animals and their parts, other than non-biological and microbiological processes; and
- an invention, the primary or intended use of which would be contrary to public order or morality, whether or not the commercial exploitation of the invention is prohibited by law.

### How long is a patent effective?

The life of a patent in Mauritius is 20 years from the filing date of the application .Payment of annual maintenance fees throughout the life of the patent or patent application is also required to keep it in force.

### How do I obtain a patent?

You must file an application on the forms with the Industrial Property Office of Mauritius, 11<sup>th</sup> Floor, Sterling House, Lislet Geoffroy Street, Port Louis and pay the required fees.

### Does a patent in Mauritius protect my rights in other countries?

No. Patent laws are national so you must obtain a patent in each country in which you want protection.