



INNOVATION FILE

UTILITY MODELS

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What is a Utility Model?

It is a form of intellectual property right granted for an invention.

Is a Utility Model Similar to a Patent?

Yes!. A utility model is very similar to a patent. However, it requires less stringent requirements for protection than a patent. In addition, the period of protection spans a shorter period than that of a patent.

What invention would warrant the grant of a Utility Model?

An invention qualifies for the grant of a utility model certificate if it is new and can be applied by industry.

Granting of a Utility Model Certificate

The procedures for grant of a utility model are similar to that of a patent. Once an application is filed at the National Patent Office, it would be formally examined. The only difference here is that there is no substantive examination of the invention for inventive step.

If it is determined that all the required criteria have been satisfied, the inventor would be issued with a utility model certificate.

The Life of a Utility Model

The period of protection for a utility model is usually shorter, spanning from about six to fifteen years. In Ghana, a utility model offers protection for an invention for seven years.

What Advantages does a Utility Model Offer Over a Patent?

It is less expensive to obtain and maintain a utility model compared to a patent. Moreover, a utility model is usually granted within four to six months of the filing date, compared to a patent which is usually granted after two years of filing the application.

What Advantages does a Patent Offer Over a Utility Model?

The period of protection for a patent is longer compared to that of a utility model. Further, a patent can be enforced with assurance compared to a utility model which is sometimes difficult to enforce.

Can I Convert my Utility Model Application to a Patent Application?

Yes, you can do so prior to the grant or refusal of the utility model. Similarly, you can convert your application for the grant of a patent to a utility model. This conversion is however subject to the payment of a prescribed fee.

It is worth noting that a patent application cannot be converted to a utility model application more than once.

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