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Our Presence in Africa

Recognising the size and enormous diversity of Africa, our approach to providing legal services across the continent is intended to offer on-the-ground advice in the countries that matter for our clients. Our presence in Africa is always evolving to meet the changes that are shaping the future of this vast continent.

Currently, we have our own offices in six African countries: Kenya (Nairobi), Mauritius (Moka), South Africa (Cape Town, Durban, Johannesburg), Tanzania (Dar es Salaam), Uganda (Kampala) and Zambia (Lusaka).

We work closely with our Bowmans Alliance firms in Ethiopia (Aman Assefa & Associates Law Office) and Nigeria (Udo Udoma & Belo-Osagie). These are two of the leading corporate and commercial law firms in their jurisdictions.

We have special relationships with competent practitioners in Malawi and Mozambique. We also have a non-exclusive co-operation agreement with French international law firm Gide Loyrette Nouel that provides our clients access to assistance in francophone west and north Africa and Gide’s. The arrangement provides complementary access for Gide’s clients and lawyers to markets in central, southern and eastern Africa.

We ensure that, whenever our clients need legal advice in other parts of Africa, we can assist them by tapping into our comprehensive database of contacts of the best firms and practitioners across the continent.

On the global front, Bowmans has long-standing and excellent relationships with a range of international law firms with whom we often work on Africa-focussed client mandates. We are also a member firm of Lex Mundi, a global association of more than 160 independent law firms in all the major centres across the globe. Lex Mundi gives us the ability to connect our clients with the best law firms in each of the countries represented.
Our East Africa Intellectual Property Practice

With a robust historical economic growth rate and a middle class population of over 35 million, East Africa remains the investment destination of choice for investors seeking to expand operations into Africa. The entry of multiple brands into the region has made the ability to register and protect the rights that investors and clients obtain in their products, services and brands an essential success component in the business environment.

Securing a knowledgeable and experienced legal advisor who understands the local complexities with the appropriate track record in navigating through the legal landscape is pivotal to this success.

Working as one team coordinated across three jurisdictional offices, our unparalleled dedicated East Africa Intellectual Property (IP) Practice handles:

- IP litigation focusing on trademarks, patents, designs and copyright infringement;
- Multi-jurisdictional anti counterfeit actions/ raids;
- Trademark oppositions and expungement matters in Kenya, Tanzania and Uganda;
- Design and patent revocations;
- Brand migration advice;
- IP due diligence;
- Franchising; and
- Competition and IP opinions.

We act for clients both locally and internationally under the Madrid and ARIPO systems of registration and help them with national protection in other countries worldwide through a network of associate agent law firms.

Our clients include leading multinationals from around the world within the financial services, manufacturing, pharmaceutical and healthcare, and technology, media and telecommunications sectors.
Our Signature Matters

Our recent experience includes acting for/advising:

**Commercial IP transactions**
- Kansai Plascon Africa Ltd in relation to their IP rights as a result of the acquisition of a 100% of Sadolin Paints. (Kenya and Uganda).
- AB InBev in the disposal of certain brands in Botswana, Malawi, Mozambique and Swaziland.
- Various brand owners and licensees in respect to franchising, distribution and licensing arrangements, both within Kenya and within East Africa.

**Filing, prosecution and strategy transactions**
- AGRA on trademark strategy and processes relating to Ethiopia, Ghana, Kenya, Mozambique, Tanzania and Uganda.
- Cowbell on the filing of 20 trademarks under the international registration system known as Madrid. The designated countries include: Botswana, the European Union, Ghana, India and Madagascar. We continue to maintain the portfolio of some of the outstanding trademarks.
- Diageo Brands B.V. in opposition to the registration of the BLUE LABEL trademark.
- Equity Bank Ltd on the strategy and design portfolio of 21 brands in seven countries (with a possibility of up to 17 countries) across Africa.
- Equity Bank Ltd on the strategy to be followed and filing of over 35 trademarks across Africa.

**IP litigation**
- Budweiser Budvar National Corporation in a trademark dispute over the BUDWEISER trademark. (Tanzania)
- CIPLA before the Pharmacy & Poisons Board and the Anti-Counterfeit Agency for breaches of its intellectual property. (Kenya)
- Disney Enterprises Inc. in an infringement of the MICKEY MOUSE logo mark and the ULTIMATE SPIDERMAN and device mark. (Kenya)
- Google Inc. in opposition proceedings relating to its BEBAPAY trademark. (Kenya)
- Kansai Plascon (U) Ltd in an ongoing suit brought against Regal Paints (U) Ltd for trademark infringement and passing off. (Uganda)
- KCB Bank in a copyright and trademark infringement and passing off suit filed by Newton Oirene Nyambanga. (Kenya)
- Marriott Hotels in a trademark dispute over the MARRIOTT trademark. (Kenya)
- Nairobi Java House Ltd in a High Court Civil Appeal following the decision of the Registrar following trademark opposition proceedings in Kampala. (Kenya and Uganda)
- Proctor & Gamble (PG) in an advertising dispute against Unilever who argue that PG’s television and billboard detergent advertising campaign contravened the Code of Advertising Practice and Direct Marketing published by the Advertising Standards Body of Kenya. Unilever argues that the campaign amounts to comparative advertising and is without substantiation. (Kenya)
- Scotch Whisky Association in a trademark dispute over McKenzie Royal Whisky. (Tanzania)
- Sony Corporation in a High Court appeal against a ruling of the Assistant Registrar that allowed the Applicant’s mark to proceed for registration. (Kenya)
- Tiffany & Company, a premium luxury jewellery brand, in cross-border IP litigation. (Tanzania)
- UBER B.V. in High Court Civil Case 356 of 2016 Kanuri Ltd v Uber B.V. This case seeks to establish contractual rights of parties in a service agreement and the ability of a party to change terms at its own discretion where provided for by contract. (Kenya)
- Viacom International Inc. in opposition proceedings against Glitz Entertainment Ltd in a trademark dispute over the mark UNPLUGGED. (Tanzania)

**Anti-counterfeit**
- ADIDAS GmbH in filing a counterfeit action before the Kenyan Anti-Counterfeit Agency resulting in the successful raid, seizure and destruction of a consignment of counterfeit products at the Port of Mombasa that were infringing on the protected trademark rights of ADIDAS.
- Caterpillar Inc. in a successful anti-counterfeit enforcement covering Mombasa and Nairobi.
- Diageo Brands B.V. and East Africa Breweries Ltd in a counterfeit complaint on Johnnie Walker Black and Red Label in Rwanda.
- Glaxo SmithKline (GSK) in filing a counterfeit action before the Kenyan Anti-Counterfeit Agency and the Commissioner for Customs resulting in the successful raid, seizure and destruction of a consignment of counterfeit products infringing on the protected trademark rights of GSK.
- Wahl Clipper in a countrywide counterfeit enforcement against traders dealing in counterfeit products bearing the Wahl trademark.
Gaming, fintech and related transactions

- Airbnb Payments UK Ltd on the viability of, and regulatory landscape applicable to, improved functionality on their payments platform.
- Bacardi and Lewis Silkin LLP on the MARTINI online competition and the terms and conditions for the MARTINI 150 moments promotion.
- A leading bank listed on the Nairobi Stock Exchange in developing novel e-commerce agreements aimed at incorporating complex technology systems into their daily banking, payment and transaction functions.
- Fish & Richardson P.C. on behalf of their client Intel Corporation on betting and gaming laws and regulation, data protection and privacy laws in Kenya.
- Inventure Mobile Ltd (Tala) on the viability and regulatory landscape applicable to a consumer credit product, including drafting product terms and conditions.
- Reed Smith on behalf of their client E-Prize and Intel Corporation on betting and gaming laws and regulation, data protection and privacy laws in Kenya.
- Segovia Technology on the viability and regulatory landscape applicable to an advanced money remittance service.
- Simplice Bile Anoh on the setting up of a digital betting company.
- Visa on betting and gaming laws and regulation, data protection and privacy laws in Kenya.
Accolades

AFRICAN LEGAL AWARDS 2021
Bowmans won awards in five categories, more than any other single firm. The firm was named Capital Markets Team of the Year, Environmental and Renewables Team of the Year, Restructuring Team of the Year, and won the Crisis Management Initiative of the Year Award.

DEALMAKERS AFRICA AWARDS 2020
Bowmans was DealMakers top dealmaker in East Africa for 2020 by number of M&A transactions worked on. The firm had more than 26% market share and advised on the deal named Deal of the Year.

DEALMAKERS SOUTH AFRICA AWARDS 2020
Bowmans was among South Africa’s leading dealmakers for 2020, placing third for both transaction value and transaction volume in the General Corporate Finance Category and fourth for both deal value and deal volume in the M&A Category.

IFLR AFRICA AWARDS 2021
Bowmans received three awards including the awards for National Law Firm of the Year in both South Africa and Zambia. The firm was also named National Law Firm of the Year: South Africa (Project Finance) for its work on various project finance matters including the Beitbridge Border Post Modernisation Project, which was named Project Finance Deal of the Year.

MERGERMARKET’S AFRICAN & MIDDLE EAST LEAGUE TABLES 2020
Bowmans was identified as the top ranked legal firm by number of completed deals in 2020.
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