



THE REPUBLIC OF UGANDA
Registered at the
General Post Office for
transmission within
East Africa as a
Newspaper

The

Uganda Gazette



Published
by
Authority

Vol. XCVI No. 26

6th June, 2003

Price: Shs. 1000

	CONTENTS	PAGE
The Trade Marks Act—	Registration of applications	169-172
Advertisements	172

SUPPLEMENT

Act

No. 6—The Universities and Other Tertiary Institutions (Amendment) Act, 2003.

General Notice No. 149 of 2003.

THE TRADE MARKS ACT.

(Cap. 83).

NOTICE.

NOTICE IS HEREBY GIVEN that any person who has grounds to oppose the registration of any of the marks advertised herein may within sixty days from the date of this *Gazette*, lodge a Notice of opposition on Trade Mark Form No. 6 together with a fee of Shs. 4000 in case of National applicants or US\$ 250 in case of Foreign applicants. The period of lodging Notice of opposition may be extended in suitable cases by the Registrar as he thinks fit upon such terms as he may direct. Formal opposition should not be lodged until after reasonable notice has been given by letter to the applicant so that he may have an opportunity to withdraw his application before the expense of opposition proceedings is incurred. Failure to give such notice will be taken into account in considering any application by the opponent for an order for costs if the opposition is uncontested by the applicant. Representations of the marks herein advertised can be inspected at the office of the Registrar of Trade Marks, Parliamentary Buildings, P.O. Box 7151, Kampala.

(21) APPLICATION NO. 25497 IN PART "A".
(52) Class 5.
(54)

AVASUR

(53)
(59)
(64)
(57) *Nature of goods*— Pharmaceutical and medicinal preparations for the treatment and/or prevention of endocrinoses including diabetes and their complications.

(73) *Name of applicant*— SB Pharmco Puerto Rico Inc.
(77) *Address*— State Road No. 172, Km 9.1/Bo Certenejas, Cidra 00639, Puerto Rico.
(74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.

(22) *Date of filing application*— 29th January, 2003.

(21) APPLICATION NO. 25496 IN PART "A".
(52) Class 5.
(54)

AVANDARYL

(53)
(59)

(64)
(57) *Nature of goods*— Pharmaceutical and medicinal preparations for the treatment and/or prevention of endocrinoses including diabetes and their complications.

(73) *Name of applicant*— SB Pharmco Puerto Rico Inc.
(77) *Address*— State Road No. 172, Km 9.1/Bo Certenejas, Cidra 00639, Puerto Rico.
(74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.

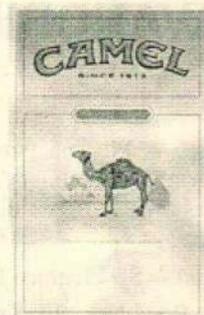
(22) *Date of filing application*— 29th January, 2003.

(21) APPLICATION NO. 25728 IN PART "A".
(52) Class 30.
(54)



(53)
(59)
(64)
(57) *Nature of goods*— Tea.
(73) *Name of applicant*— Kase Blenders Ltd.
(77) *Address*— Tel: 077384479, Kampala
(74)
(22) *Date of filing application*— 30th May, 2003.

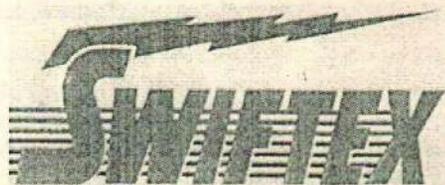
(21) APPLICATION NO. 24849 IN PART "A".
(52) Class 34.
(54)



(53)
(59)
(64) *Association*— To be associated with T.M No. 15430.
(57) *Nature of goods*— Cigarettes, raw and manufactured tobacco; smokers articles; matches.

- (73) *Name of applicant*— Japan Tobacco Inc.
 (77) *Address*— 2-2-1 Toranomon, Minato-ku, Tokyo, Japan.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 9th May, 2002.

- (21) APPLICATION NO. 25290 IN PART "A".
 (52) Class 16.
 (54)



- (53)
 (59)
 (64)
 (57) *Nature of goods*— All goods included in class 16.
 (73) *Name of applicant*— Metindustrial Limited.
 (77) *Address*— Trading through its division FIRST NATIONAL BATTERY Liverpool Road, Industrial Sites, Benoni South Gauteng, 1502, Republic of South Africa.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 21st October, 2002.

- (21) APPLICATION NO. 25499 IN PART "A".
 (52) Class 5.
 (54)

VANDASURE

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Pharmaceutical and medicinal preparations for the treatment and/or prevention of endocrinoses including diabetes and their complications.
 (73) *Name of applicant*— SB Pharmco Puerto Rico Inc.
 (77) *Address*— State Road No. 172, Km 9.1/Bo Certenejas, Cidra 00639, Puerto Rico.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 29th January, 2003.

- (21) APPLICATION NO. 25498 IN PART "A".
 (52) Class 5.
 (54)

AVANDRIL

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Pharmaceutical and medicinal preparations for the treatment and/or prevention of endocrinoses including diabetes and their complications.
 (73) *Name of applicant*— SB Pharmco Puerto Rico Inc.
 (77) *Address*— State Road No. 172, Km 9.1/Bo Certenejas, Cidra 00639, Puerto Rico.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 29th January, 2003.

- (21) APPLICATION NO. 25292 IN PART "A".
 (52) Class 16.
 (54)



- (53)
 (59)
 (64)
 (57) *Nature of goods*— All goods included in class 16.
 (73) *Name of applicant*— Metindustrial Limited.
 (77) *Address*— Trading through its division FIRST NATIONAL BATTERY Liverpool Road, Industrial Sites, Benoni South, Gauteng, 1502, Republic of South Africa.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 21st October, 2002.

- (21) APPLICATION NO. 25291 IN PART "A".
 (52) Class 16.
 (54)



- (53)
 (59)
 (64)
 (57) *Nature of goods*— All goods included in class 16.
 (73) *Name of applicant*— Metindustrial Limited.
 (77) *Address*— Trading through its division FIRST NATIONAL BATTERY Liverpool Road, Industrial Sites, Benoni South, Gauteng, 1502, Republic of South Africa.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 21st October, 2002.

- (21) APPLICATION NO. 25484 IN PART "A".
 (52) Class 4.
 (54)

SHELL SPORT

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Oils; greases; lubricants; fuels.
 (73) *Name of applicant*— Shell International Petroleum Company Limited.
 (77) *Address*— Shell Centre, London SE1 7NE, England.
 (74) *C/o M/s Sengendo & Co. Advocates, P.O. Box 6914, Kampala.*
 (22) *Date of filing application*— 23rd January, 2003.

- (21) APPLICATION NO. 25503 IN PART "A".
 (52) Class 5.
 (54)

CIALIS

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Pharmaceutical preparations.

- (73) *Name of applicant*— Lilly Icos LLC.
 (77) *Address*— 1209 Orange Street, Wilmington, Delaware, United States of America.
 (74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.
 (22) *Date of filing application*— 4th February, 2003.

- (21) APPLICATION NO. 25178 IN PART "A".
 (52) Class 9.
 (54)



- (53)
 (59)
 (64)
 (57) *Nature of goods*— Scientific, electric and electrical equipment; all types of batteries including electric batteries for vehicles, and lead acid batteries for mining motive power, standby, surface traction, forklift, mine lighting and solar applications; all types of accumulators; battery boxes; battery chargers and battery jars; all accessories, parts and fittings related to and used in respect of the foregoing.

- (73) *Name of applicant*— Metindustrial Limited.
 (77) *Address*— Trading through its division FIRST NATIONAL BATTERY Liverpool Road, Industrial Sites, Benoni South Gauteng, 1502, Republic of South Africa.
 (74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.
 (22) *Date of filing application*— 17th September, 2002.

- (21) APPLICATION NO. 25179 IN PART "A".
 (52) Class 9.
 (54)



- (53)
 (59)
 (64)
 (57) *Nature of goods*— Scientific, electric and electrical equipment; all types of batteries including electric batteries for vehicles, and lead acid batteries for mining motive power, standby, surface traction, forklift, mine lighting and solar applications; all types of accumulators; battery boxes; battery chargers and battery jars; all accessories, parts and fittings related to and used in respect of the foregoing.

- (73) *Name of applicant*— Metindustrial Limited.
 (77) *Address*— Trading through its division FIRST NATIONAL BATTERY Liverpool Road, Industrial Sites, Benoni South Gauteng, 1502, Republic of South Africa.
 (74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.
 (22) *Date of filing application*— 17th September, 2002.

- (21) APPLICATION NO. 25177 IN PART "A".
 (52) Class 9.
 (54)



- (53)
 (59) THROUGH CARING WE LEAD
 (64)
 (57) *Nature of goods*— Scientific, electric and electrical equipment; all types of batteries including electric batteries for vehicles, and lead acid batteries for mining motive power, standby, surface traction, forklift, mine lighting and solar applications; all types of accumulators; battery boxes; battery chargers and battery jars; all accessories, parts and fittings related to and used in respect of the foregoing.
 (73) *Name of applicant*— Metindustrial Limited.
 (77) *Address*— Trading through its division FIRST NATIONAL BATTERY Liverpool Road, Industrial Sites, Benoni South Gauteng, 1502, Republic of South Africa.
 (74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.
 (22) *Date of filing application*— 17th September, 2002.

- (21) APPLICATION NO. 25443 IN PART "A".
 (52) Class 3.
 (54)

McSARA HAIR & BEAUTY

- (53) *Disclaimer*— Registration of this Trade mark shall give no right to the exclusive use of the words "HAIR" & "BEAUTY" each separately and apart from the mark.
 (59)
 (64)
 (57) *Nature of goods*— Nail polish, perfumes, hand and body lotions, creams, lipsticks, hair creams and gels, curl activator gel, creme relaxers, neutralising shampoos, perm relaxers, hairfoods, normal shampoos, pre softening gel, soaps, toiletries and skin lightening cremes.

- (73) *Name of applicant*— Stripes Industries Limited.
 (77) *Address*— Lunga Lunga Road, P.O. Box 30682, 00100, Nairobi (GPO) Kenya.
 (74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.
 (22) *Date of filing application*— 20th December, 2002.

- (21) APPLICATION NO. 25410 IN PART "A".
 (52) Class 7.
 (54)



- (53)
 (59)
 (64)
 (57) *Nature of goods*— Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs.

- (73) *Name of applicant*— Alstom.
 (77) *Address*— 25 avenue Klebe, 75116, Paris, France.
 (74) *C/o M/s Sengendo & Co. Advocates*, P.O. Box 6914, Kampala.
 (22) *Date of filing application*— 12th December, 2002.

Kampala, RITA BBANGA-BUKENYA (MRS),
 30th May, 2003. *Assistant Registrar of Trade Marks.*

ADVERTISEMENTS

THE REGISTRATION OF TITLES ACT, 1964.
 (Cap. 205).
 NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 2534 Folio 4, Plot No. 1273, Kibuga Block 15 at Nsambya, Kampala.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Meat Processors (U) Limited of P.O. Box 12721, Kampala, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala, EDWARD KARIBWENDE,
 20th May, 2003. *for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.
 (Cap. 205).
 NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 208 Plot 593, Area 0.11 Acres at Kawempe.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Musenze Undertakings Ltd. of P.O. Box 2339, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala, OPIO ROBERT,
 26th May, 2003. *for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.
 (Cap. 205).
 NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Block 5 Plot 251, Rukungiri.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Warren K.R Ruyendo of P.O. Box 7051, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Rukungiri, J.K KARUHANGA,
 30th May, 2003. *for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.
 (Cap. 205).
 NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 165 Plots 476 & 628, Area 232.205 Hectares at Namataba.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Albert Mackay Kkalula of P.O. Box 14103, Mengo, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, SARAH KULATA BASANGWA,
 5th June, 2003. *for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.
 (Cap. 205).
 NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busujju Block 59 Plot 6, Area 8.10 Hectares at Kasozo Estate.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Petero M. Kinyomo of Butoolo Mawokota, a special Certificate of Title under the above Block and Plot of the Mailo Register, the duplicate Certificate of Title which was originally issued having been lost.

Kampala, NYOMBI ROBERT,
 17th April, 2003. *for Chief Registrar of Titles.*

IN THE HIGH COURT OF UGANDA
 HOLDEN AT KAMPALA.

ADMINISTRATION CAUSE No. 401 OF 2003.

In the matter of the estate of the Late David Wanenge Baboineki Formerly of Entebbe Town, Wakiso District,

AND

In the matter of an application for letters of Administration by Zulayika Baboineki, (Widow of the deceased).

NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN.

TAKE NOTICE that an application for letters of Administration to the Estate of the late David Wanenge Baboineki has been lodged in this Honourable court by Zulayika Baboineki, widow of the deceased.

This court will proceed to grant the same if no caveat is lodged with this court within fourteen (14) days from the date of publication of this notice unless cause be shown to the contrary.

DATED at Kampala this 16th day of May, 2003.

P.P OKELLO,
Registrar (Family Division).

ACTS SUPPLEMENT

to The Uganda Gazette No. 26 Volume XCVI dated 6th June, 2003.

Printed by UPPC, Entebbe, by Order of the Government.

Act 7 *Universities and Other Tertiary
Institutions (Amendment) Act* **2003**

**THE UNIVERSITIES AND OTHER TERTIARY INSTITUTIONS
(AMENDMENT) ACT, 2003.**

ARRANGEMENT OF SECTIONS.

Section.

1. Short title.
2. Interpretation.
3. Merger of certain existing institutions.
4. Transitional provisions in respect of Institute of Teacher Education, Kyambogo.
5. Repeal of the Uganda National Institute of Special Education Act, 1998 and transitional provisions.
6. Transitional provisions relating to Uganda Polytechnic, Kyambogo.
7. Amendment to section 22.
8. Amendment to section 38.
9. Amendment to section 44.
10. Amendment to section 77.
11. Consequential amendment of principal Act.

**LAW DEVELOPMENT CENTRE
REFERENCE LIBRARY**

LAW DEVELOPMENT CENTRE
REFERENCE LIBRARYTHE UNIVERSITIES AND OTHER TERTIARY
INSTITUTIONS (AMENDMENT) ACT, 2003.

An Act to amend the Universities and Other Tertiary Institutions Act, 2001 to provide for the merger of the Uganda National Institute of Special Education, the Institute of Teacher Education, Kyambogo and the Uganda Polytechnic, Kyambogo to form one University to be known as Kyambogo University under section 22 of that Act; and to provide for other matters relating to the foregoing.

DATE OF ASSENT: 20th May, 2003.

Date of commencement: 6th June, 2003.

BE IT ENACTED by Parliament as follows:

1. This Act may be cited as the Universities and Other Tertiary Institutions (Amendment) Act, 2003.

Short title.

2. In this Act, "principal Act" means the Universities and Other Tertiary Institutions Act, 2001.

Inter-pretation.
Act No. 7
of 2001.

3. The Institute of Teacher Education, Kyambogo, the Uganda National Institute of Special Education and the Uganda Polytechnic, Kyambogo shall be merged into one University to be known as the Kyambogo University which shall be established by the Minister by statutory instrument under section 22 of the principal Act.

Merger of
certain
existing
institutions.

Transitional provisions in respect of Institute of Teacher Education, Kyambogo.

4. (1) Upon the establishment of the Kyambogo University by virtue of section 3 of this Act, the following provisions shall have effect—

- (a) any regulations or statutes made or continued in force in respect of the Institute of Teacher Education, Kyambogo shall continue in force until revoked under the principal Act or until replaced by new ones under the principal Act;
- (b) any acts, appointments or programmes made or started under the Statute referred to in subsection (1) of section 73 of the principal Act and continued in existence under subsection (3) of section 73 of the principal Act in respect of the institute referred to in paragraph (a) of this subsection, and also any acts, appointments or programmes made or started or continued under the principal Act in respect of that institute shall continue in existence as if made under the principal Act in respect of the Kyambogo University established by virtue of section 3 of this Act or until they expire;
- (c) all assets and property vested in the Makerere University Council in respect of the institute referred to in paragraph (a) of this subsection shall vest in the University Council of the Kyambogo University established by virtue of section 3 of this Act;
- (d) all liabilities, court actions or contracts incurred or enforceable by or against the Makerere University Council in respect of the institute referred to in paragraph (a) of this subsection shall be enforceable by or against the University Council of the Kyambogo University established by virtue of section 3 of this Act;

- (e) all programmes and courses offered by Makerere University in respect of Kyambogo University shall continue as programmes and courses of Kyambogo University established by virtue of section 3 of this Act; and
- (f) all students of the Makerere University in respect of the institute referred to in paragraph (a) of this subsection shall continue to be students of the Kyambogo University established by virtue of section 3 of this Act.

(2) Sections 73 and 74 of the principal Act shall have effect with such modifications as may be necessary to give effect to the provisions of this section.

5. (1) Upon the establishment of the Kyambogo University by virtue of section 3 of this Act, the Uganda National Institute of Special Education Act, 1998 shall be deemed to be repealed.

Repeal of the Uganda National Institute of Special Education Act, 1998 and transitional provisions. Act No. 14 of 1998.

(2) Upon the coming into force of the repeal effected by subsection (1) of this section the following provisions shall have effect—

- (a) any regulations and statutes made under the Uganda National Institute of Special Education Act, 1998 shall continue in force as if made under the principal Act until revoked or replaced under the principal Act;
- (b) any acts, appointments or programmes made or started under the Act repealed by subsection (1) of this section shall continue in existence as if made under the principal Act or until they expire;
- (c) all assets and property vested in the Uganda National Institute of Special Education under the Act repealed by subsection (1) of this section shall vest in the University Council of the Kyambogo University established by virtue of section 3 of this Act;

- (d) all liabilities, court actions or contracts made or enforceable by or against the institute referred to in paragraph (d) of this subsection shall be enforceable by or against the Kyambogo University established by virtue of section 3 of this Act;
- (e) all employees and staff of the institute referred to in paragraph (d) of this subsection shall be deemed to have been engaged under the principal Act by the Kyambogo University established by virtue of section 3 of this Act until removed under the principal Act; and
- (f) all students of the institute referred to in paragraph (d) of this subsection who were admitted under the Act repealed by subsection (1), shall continue to be students of the Kyambogo University established by virtue of section 3 of this Act.

Transitional provisions relating to Uganda Polytechnic, Kyambogo.

6. (1) Upon the establishment of the Kyambogo University by virtue of section 3 of this Act all rights, property, liability and obligations and contracts existing or held by or in respect of or subsisting against the Uganda Polytechnic Kyambogo shall continue to exist or be held by or in respect of or to subsist against the Kyambogo University established by virtue of section 3 of this Act.

(2) Subject to section 51(1) of the principal Act, a¹⁷ qualifying academic and other members of staff of Uganda Polytechnic Kyambogo before the commencement of this Act shall be transferred to Kyambogo University and their terms and conditions of service shall, on transfer, be those offered by the University to the respective grades of staff.

(3) All other members of staff who may not have the academic qualifications at the commencement of this Act but who may wish to up-grade their qualification and be retained in the service of Kyambogo University shall be given a period of grace to up-grade their qualifications.

(4) All other members of staff who may not take the offer to up-grade their qualifications shall be transferred to the Ministry responsible for education or paid retirement benefits.

(5) Retirement benefits for those employees who may not be transferred to the University or the Ministry shall be those determined by the Minister responsible for Public Service in accordance with the relevant law relating to the retirement benefits for the Public Service.

(6) All students of Uganda Polytechnic Kyambogo shall continue to be students of the Kyambogo University established by virtue of section 3 of this Act.

7. Section 22 of the principal Act is amended by inserting a new subsection (3) to read as follows—

Amendment
to section
22.

“(3) The National Council shall ensure that the University Council for the University established under subsection (1) is constituted within six months of establishing the University.”

8. Section 38 of the principal Act is amended by replacing paragraph (1) (q) as follows—

Amendment
to section
38.

“(q) two representatives of the constituent colleges, schools and institutes elected by the Chairpersons of the governing councils from among themselves;

(r) two representatives of persons with disabilities, one elected by the members of staff who are persons with disabilities and another by National Organisations of persons with disabilities.”

9. Section 44 of the principal Act is amended by replacing paragraph (d) as follows—

Amendment
to section
44.

(d) two representatives of the Principals of constituent Colleges, schools or institutes.”

Amendment
to section
77.

10. Section 77 is amended in subsection (2) by replacing paragraph *(b)* to read as follows—

“*(b)* one person representing a public University to which the institution is affiliated.”

Conse-
quential
amendment
of principal
Act.

11. Upon the establishment of the Kyambogo University by virtue of section 3 of this Act, the principal Act is amended as follows—

(a) in section 130 by the repeal of the words “and the Uganda National Institute of Special Education” in subsection (1);

(b) in section 131 by substituting for subsection (5) the following—

“(5) Notwithstanding the provisions of this Act, the Islamic University in Uganda shall be recognised and registered by the National Council and its awards shall be subject to the equating and relevant regulations made by the National Council, but shall operate in accordance with the provisions of the Islamic University in Uganda Statute, 1990;”

(c) subsection (7) is repealed.

LAW DEVELOPMENT CENTRE
REFERENCE LIBRARY