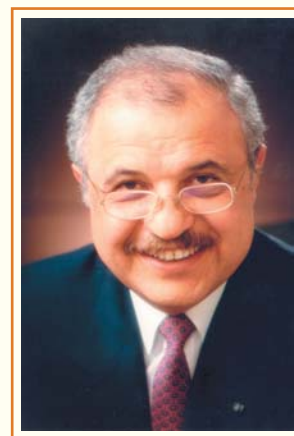


# INDEX

## Page

<b>Chairman's Message</b>	01
<b>Introduction</b>	02
<b>Treaties &amp; Conventions</b>	03
Algeria	04
Bahrain	05
Egypt	06
GCC Patent Office	07
India	08
Iraq	09
Jordan	10
Kuwait	11
Lebanon	12
Libya	13
Morocco	14
Oman	15
Pakistan	16
Palestine - Gaza	17
Palestine - West Bank	18
Qatar	19
Saudi Arabia	20
Sudan	21
Syria	22
Tunisia	23
Turkey	24
United Arab Emirates	25
Yemen	26
Liaison Offices	

# CHAIRMAN'S MESSAGE



Dear Clients, Colleagues, Associates and Friends,

It brings me great pleasure to provide you with the latest edition of the Abu-Ghazaleh Intellectual Property Handbook. This year, the Handbook will be made available to you electronically on our interactive website.

We will continuously monitor and research the globe to provide you with the most complete, comprehensive, and up-to-date information on Intellectual Property (IP) laws and regulations.

Abu-Ghazaleh Intellectual Property (AGIP) has been meeting the IP needs of distinguished international clients regionally and globally for more than three decades. Over this period, we have grown into a truly international firm. To provide complete coverage of the region, AGIP now has 30 offices in the Arab countries in addition to Turkey, Pakistan, and India. Moreover, to serve our clients on a global level, AGIP has an extensive network of international correspondents with liaison offices in Canada, France, United Kingdom, United State, and China.

Throughout this growth, AGIP has maintained its unwavering commitment to its mission of providing clients with the best quality service available in the field of IP protection in the Arab world.

AGIP firmly believes that it is only through strong protection of Intellectual Property Rights (IPRs), the region can truly develop to create the dynamic, innovative business environment that will contribute to sustainable economic progress and development, real GNP growth, and increased social welfare.

This commitment to IP protection comes to life as part of continued involvement with international

organizations, including the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO), with NGOs such as the International Trademark Association (INTA), International Association for the Protection of Intellectual Property (AIPPI), International Federation of Intellectual Property Attorneys (FICPI) and with our funding of Arab NGOs, such as the Arab Society for Intellectual Property (ASIP) and the Licensing Executives Society - Arab Countries (LES-AC).

AGIP has organized and sponsored, in coordination with WIPO, ASIP and WTO, relevant training for members of the judiciary and also for district attorneys in various Arab countries. AGIP has also provided ASIP with experts to help draft new, better IP laws for a number of Arab states. We are also proud to have assisted in the publication of numerous ground-breaking reference works on IP in the Arab world, including the compilation of an English translation of all the Arab Intellectual Property laws and the publishing of a major Intellectual Property dictionary in Arabic. Our goal is two-fold: to help provide our clients the protection their efforts deserve, and to help further the advancement of the Arab people. To this end, we greatly appreciate your continued business and the relationships we have developed over the last quarter of a century. I assure you that we shall continue to do our utmost in providing you with the highest level of service.

Please visit our continually updated website ([www.agip.com](http://www.agip.com)), for a wealth of information in the field of Intellectual Property. I'm sure you will find it to be a most valuable tool as you seek the best protection for your work.

***Talal Abu-Ghazaleh***

# INTRODUCTION

## Company Profile

### Establishment

When Abu-Ghazaleh Intellectual Property (AGIP) was established, as TMP Agents in 1972 in Kuwait, we knew that we were facing a considerable challenge. Intellectual Property (IP) protection in the region was still in its early stages of development. However, since then we at AGIP have devoted our efforts to promoting the importance of IP protection throughout the Arab countries.

We have encouraged the introduction of IP laws and an efficient IP system that has introduced two significant changes to the region. Firstly, with the new legislation, major multinational corporations have been given the confidence to expand to the region, because they are now assured of protection for their products. Secondly, the creative individuals of the Arab world such as Arab architects, artists, designers, computer scientists, musicians and writers are now granted protection for their products that ensures their hard work is properly rewarded.

As the years have passed, we have been hugely successful in achieving the goals we initially set for ourselves, and today we look around the region and are proud of the comprehensive developments that we have helped achieve in the field of IP.

One of our contributions, of which we take pride, at AGIP, is our assistance and continued support provided to governmental committees and officials, charged with revising and drafting new laws and regulations, for the enforcement of Intellectual Property Rights (IPRs). Our participation in this field aims to ensure adequate methods of protection for IPRs.

### Progress and Technology

AGIP can now not only boast at being the largest IP firm in the region with 30 offices in the Arab countries and a network of associates that are the equal of any firm in the world, but also at the fact that our advice and encouragement to the governments of the region have frequently played a significant role in the introduction of new laws.

The new millennium challenges have been met by AGIP. In addition to having an internal server connecting all of our offices, we were the first in the region to connect to the Internet directly through an HDSL (High data rate Digital Subscriber Line). This is the latest technology for high-speed broadband access.

This will allow us to have a sustained baud rate (speed), with secure and fast connectivity and almost no disconnection time. Besides HDSL, we will keep our old cable leased line as backup.

AGIP, through its mother company, Talal Abu-Ghazaleh Organization (TAGorg), is a member of the Business Constituency (BC) of the Generic Names Supporting Organization (GNSO) of the Internet Corporation for Assigned Names and Numbers (ICANN).

Domain name registrations are becoming a vital aspect of all international activities within the Electronic Sphere. The web presence for each company requires these registrations, which AGIP has fulfilled throughout its offices.

## Services

Operating from our central headquarters in the Jordanian capital of Amman, AGIP is dedicated to providing excellence in the quality of services it renders, the quality of people it employs and the ethical and professional approach it adopts.

Our goal, to help establish protection for owners of Intellectual Property Rights (IPRs), has ensured that we provide a wide range of services such as:

- ◉ Trademark, patent, design, and copyright registrations
- ◉ Domain name registration and renewals
- ◉ Advice on assignments, licensing, and technology transfers
- ◉ Advisory services on Intellectual Property protection
- ◉ Translation of Intellectual Property related documents
- ◉ Research and investigation
- ◉ Maintenance of IPRs through renewals and annuities
- ◉ Publication of cautionary and patent working notices
- ◉ Trademark watch service
- ◉ Infringement and counterfeiting actions
- ◉ Opposition actions
- ◉ Cancellation actions
- ◉ Appeal actions
- ◉ Technology agreements
- ◉ Licensing and franchising agreements
- ◉ Legal translations

We operate a Trademark Infringement Service, whereby the local markets are intensively searched for registered and unregistered labels imitating those of our clients. If the comprehensive search leads to any offending marks or getups, a detailed report including our suggestions will be provided. In the event that you wish to take action, experienced Intellectual Property attorneys will assist you in formulating an appropriate response.

AGIP also provides a free Trademark Watch Service. Through continuous screening of the official gazettes of the Arab countries, we are able to find trademarks similar or identical to those of our clients at which point an opposition is lodged.

Our licensing and franchising services are provided for regional and international clients in all Arab countries. The section is engaged in drafting licensing and franchising agreements along with legal consultations on the compatibility of such agreements with the Arab laws, mediation and litigation. At the same time, our lawyers provide clients with assistance in every step of the negotiation process.

As a member of Talal Abu-Ghazaleh Organization (TAGOrg), our licensing department has access to a database made up of thousands of clients across the Arab countries and around the world, providing us with the capabilities to find the right partners for each licensing and franchising venture.

For all companies expanding into a new market, the most important stage of the process is preparation. The Arab countries are a complex region where the differences between each country are as common as the similarities. AGIP therefore works in collaboration with its sister company Talal Abu-Ghazaleh & Co. International (TAGI), performing market research and feasibility studies to ensure that our clients' concepts and business methods are suitable for the Arab market.

# Translation

In a world where English has become the official language for business, TAGorg affiliate, Talal Abu-Ghazaleh Translation, Distribution and Publishing (TAG TDP), provides high quality professional translation in almost every discipline including, but not limited to, legal, commercial, financial, administrative, technical, medical, pharmaceutical, military, and political translations. Final products would be delivered on a timely basis after going through an effective quality control process. Legal translations can be, upon clients' request, certified, notarized, legalized or authenticated to ensure they are valid for the intended country.

Our large in-house team of translators can translate patents from major languages, to and from Arabic, according to the legal and procedural requirements in each Arab country. These translations can be supplied to our offices through a secure channel, which guarantees efficiency and security.

## New Pricing Policy

The objective of our new pricing policy is to ensure a good competitive position for TAG TDP, both locally and internationally; and further consolidate our business relations with our most precious clients.

### Rates:

Rate per 200-word page (US\$)

Languages	Into Arabic	From Arabic
English	20.00	22.00
French, German, Spanish & Italian	30.00	35.00
	Into English	From English
French, German, Spanish & Italian	35.00	40.00
	Into Arabic	From Arabic
Other languages	40.00	45.00
	Into English	From English
Other Languages	50.00	55.00

### Rules:

- These rates are standard and applicable to all clients.
- All rates to international clients shall be denoted in US dollars; and shall be calculated on basis of the source text word count (200 words per page).
- All quotes to clients shall indicate whether the rates are inclusive or exclusive of any sort of tax, as legally applicable.

### Discounts:

- We shall offer a discount of 10% for large volume or regular/ongoing work.
- As per Mr. Chairman's instructions, special discount rates are offered to UN agencies and certain non-profit international organizations. Special discounts shall be offered to local clients in Arab countries taking into account competition, market rates, and other business considerations. Subject to special agreement, special rates shall be offered for the translation of publications if the client agrees to add the Company's name and logo as per our requirements.

### Additional Charges:

- We may charge extra fee for localization of the material translated.
- We may charge extra fee for special designs or format for the translated document.
- We charge an extra fee for legalization (notary public) at US\$ 20.00 per job + actual authentication and legalization fees.
- 25% will be added as an extra charge for rush jobs.

### General:

- Prices for language pairs other than the above shall be available on request.
- Single-page jobs, e.g. certificates shall be accounted for as full pages regardless of the word count.
- PowerPoint presentations or the like shall be charged based on the actual number of pages.

## Regional Office

To ensure services of the highest quality, AGIP's 30 offices report to our Regional Office in Amman, Jordan. In addition to monitoring the administrative and technical work of these offices, the Regional Office provides them with a full range of services including quality control, training, technical know-how, consultations, financing, and state of the art communication technology, through our own servers. The centralized accounting system at the Regional Office enables clients to attend to financial matters easily and effectively through a single contact.

## AGIP Website

The AGIP website has been highly equipped to cater for clients' various needs and to give easy access to information.

Since AGIP Handbook is being updated on an annual basis, please make sure to always refer to our website [www.agip.com](http://www.agip.com) to obtain the latest and most up-to-date information regarding filing trademark, patent, industrial design, copyright and domain name services and other intellectual property services in all countries as well as powers of attorney forms. Should you have any problems, please advise us.

## TREATIES & CONVENTIONS

### Patent Cooperation Treaty (PCT)

Applications for the protection of inventions in any of the contracting states may be filed as international applications under this treaty. Applications are filed through the national office of a contracting state, which acts as the receiving office. Only a resident or national of a contracting state may file an application.

**The documents and other requirements are as follows:**

- Petition.
- The designation of the contracting state or states in which protection is sought.
- The particulars of the applicant.
- The title of the invention.
- The particulars of the inventor.
- The patent specification and claims, together with an abstract of the invention.
- A set of the drawings.

**The 128 states acceded to the PCT are: (Status on July 27, 2005)**

Albania, Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Ecuador, Egypt, Equatorial Guinea, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea Bissau, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Papua New Guinea, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka,

Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uzbekistan, Vietnam, Zambia, Zimbabwe.

### Madrid Agreement Concerning the International Registration of Marks

The nationals of any of the contracting countries may, in all other countries party to the Madrid Agreement, secure protection of their trade and/or service marks registered in the country of origin, by registering the said marks at the International Bureau through intermediary of the national office of the said country of origin.

**The documents and other requirements are as follows:**

- Two copies of the application on the prescribed form both dated and signed by the national office of the country of origin.
- The particulars of the applicant.
- Information about the contracting country in which the applicant has a real and effective industrial or commercial establishment, the contracting country in which the applicant has his residence, or the contracting country of which the applicant is a national.
- The dates and numbers of the applications and of the registrations of the mark in force in the country of origin.
- Prints of the mark (not to exceed 8X8 cms, and not less than 1.5 cm X 1.5 cm).
- A list of the goods and/or services.
- The country in which protection is required.
- The period of validity, i.e. either 20 years or 10 years.

**The following 78 States are party to the Agreement:**

**(Status on September 22, 2005)**

Albania, Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, China, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Estonia, European Community, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Iran (Islamic Repub-

lic of), Ireland, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, Ukraine, United Kingdom, United States of America, Uzbekistan, Vietnam, Zambia.



# ALGERIA

## Algeria Office

**Premises:** 175, Bd Krim Belkacem, Algiers, Algeria

**P.O. Box:** 148, Alger, R.P. 16004, Algeria

**Tel:** (213-21) 68 15 04  
(213-21) 68 11 40

**Fax:** (213-21) 68 15 41

**Email:** agip.algeria@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Nabil AbuAtiyeh

## Summary of the Trademark Registration System

As of March 1, 1966, Algeria has become a member of the Paris Convention for the Protection of Industrial Property, and as of July 5, 1972, it has become a party to the Madrid Agreement Concerning the International Registration of Marks (Act of Stockholm of 1967).

The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), is followed in Algeria and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002. An application may include goods and/or services in any number of classes against payment of an additional fee to cover the additional classes.

Once a trademark application is filed, the filing certificate indicating the filing number and the filing date is issued within approximately a week. Trademark applications are examined as to their registrability against prior registrations. The certificate of registration is issued upon completing all the filing requirements. Trademarks are published after registration; there is no provision for filing opposition to the registration of a mark.

According to the new Trademark Law No. 03 - 06 issued July 19, 2003, a trademark registration is valid for ten years from the date of filing the trademark application. Thereafter, a trademark registration is renewable for periods of ten years, each upon application and payment of the prescribed renewal fees. A grace period of six months is allowed for late renewal of a trademark registration against payment of a fine.

The assignment of a trademark should be recorded after prior approval of the minister concerned; but

presently this provision is not valid in Algeria. Unless it is entered in the records of the Trademark Office, an assignment shall not be effective vis-à-vis third parties.

The assignment of a trademark is possible with or without the goodwill of the business. Changes in the name and/or address of a registrant must be recorded. Recording a license is possible and an unrecorded license is invalid. Use of trademarks in Algeria is not mandatory for filing applications neither for registrations nor for maintaining trademark registrations in force. However, a trademark registration is subject to cancellation on the strength of a court decision obtained to this effect by any interested party.

A cancellation action relies basically on establishing sufficient grounds that the trademark in question has not actually been used seriously for a period of three years, after filing the application or if the use ceases for over three years. Any infringement or unauthorized use of a registered trademark is punishable under the provisions of the current law.

## Filing Requirements

### Signatory

Please note that all powers of attorney should be completed in the name of the following signatory:

Abu- Ghazaleh Intellectual Property - TMP Agents  
175 Krim Belkacem Street,  
Algiers, Algeria

### Trademark/Service Mark Applications

1. A simply signed power of attorney for each application.
2. Fifteen prints of the mark not exceeding 9 centimeters.

3. The list of goods to be covered by the application.
4. The number and date of the home registration, if any.
5. The name, address, nationality, and profession or nature of business of the applicant.
6. A certified copy of the priority document must be submitted within a period of six months in case it is claimed.

### Renewal of Trademark/Service Mark Registrations

1. A simply signed power of attorney for each application.
2. Fifteen prints of mark not exceeding 9 centimeters.
3. The number and date of the registered trademark/service mark.
4. The name, address, and nationality of the applicant.
5. Proof of use.

### Assignment Applications

1. A simply signed power of attorney by the assignee.
2. A duly legalized deed of assignment signed by the assignor and the assignee.
3. The name, address, nationality, and profession or nature of business of the assignee.
4. The number and date of registered trademark/service mark.

### License Applications

1. A simply signed power of attorney by the licensee.
2. A legalized license agreement executed by both parties.
3. The name, address, nationality, and profession or nature of business of the licensee.

### Change of Name/Address Applications

1. A simply signed power of attorney.
2. A legalized certificate of the change of name or address.
3. The number and date of registered trademark/service mark.

### Summary of the Patent Registration System

Once a patent application is filed, it is examined as

to unity and form only. There is no examination as to the novelty of the invention, although the provisions of the new Patent Law No. 03-07 issued July 19, 2003 in Algeria, stipulate that an application should be filed before the invention has become known through publication or use.

A patent is valid for twenty years starting from the date of filing the application; such validity is subject to payment of the prescribed annual fees. Annuities are to be paid counting from the filing date. A six-month grace period with fine is allowed for late payment of the annuity.

The rights to a patent may be assigned or transferred through succession. An assignment shall have no effect against third parties unless it has been entered in the relevant records of the Patent Office. A patentee may license the right to use his invention. License agreements must be recorded to be effective against third parties.

Working of patents in Algeria is an official requirement. In the event that the owner of a patented invention in Algeria does not satisfy the stipulated working requirements of the country within four years as from the date of filing or three years from the grant, then the patent will be subject to compulsory licensing under the provisions of the law.

Importation of patented articles is not considered a sufficient working requirement.

The rights conferred by a patent on the registered patentee expire on the elapse of the protection period as prescribed by the law, lawful assignment of the patent rights, final court decision to this effect, or non-payment of a due annuity within six months after the respective due date. Infringement of the rights of a patentee is punishable under the provisions of the current Patent Law.

## Requirements

### Patent Applications

1. A simply signed power of attorney for each application.
2. The name, address, nationality, and profession or nature of business of the applicant and the inventor.
3. A simply signed deed of assignment if the applicant is not the inventor.
4. A summary of the invention (about 100 words).

5. Three copies of the specification and claims in French and Arabic.
6. Three sets of the formal drawings, if any.
7. A certified copy of the priority document for a convention application.

*Note: Concerning PCT applications entering the national phase in Algeria, a copy of the PCT international publication, Search and International Preliminary Examination Report (IPER) must be submitted with the application. For item No. 5, only the Arabic translation is required.*

### Patent Annuities

1. The number and date of filing of the patent.
2. The name, address, and nationality of the applicant.

### Assignment Applications

1. A simply signed power of attorney by the assignee.
2. A duly legalized deed of assignment signed by the assignor and the assignee.
3. The name, address, nationality, and profession or nature of business of the assignee.
4. The number and date of registered patent.

### License Applications

1. A simply signed power of attorney by the licensee.
2. A legalized license agreement executed by both parties.
3. The name, address, nationality, and profession or nature of business of the licensee.

## Summary of the Design and Industrial Models Registration System

Designs and industrial models are protectable in Algeria through registration with the competent office. Designs and industrial models created prior to filing the application are deemed novel.

Once an application is filed, it is examined as to the form only and is accorded a filing date immediately. The application is kept secret during the first year of the duration term unless the applicant requests publication. Applications are published in the Official Gazette after the elapse of the first year of protection period or earlier, upon the applicant's request. There is no provision for filing opposition. The total duration of a design registration is ten years as from the filing

date of the application, divided into two terms, the first year and the succeeding nine years. Applicants must request the nine-year extension either on filing or within the first year; otherwise the registration will expire. A grace period of six months is allowed.

Any infringement or unauthorized use of a registered design or industrial model is punishable under the current law.

## Requirements

### Design Applications

1. A simply signed power of attorney for each application.
2. Seven identical copies of representations of the design or two specimens of the actual design. Pictures of the design are requested instead of the short description of the design.
3. A certified copy of the priority document for a convention application to be lodged within six months from the filing date.

## Summary of the Copyright Registration System

The new Law No. 03-05, issued July 19, 2003, governs the protection of Copyright and Related Rights in Algeria. Algeria is a member to the Universal Copyright Convention and to Berne Convention for the Protection of Literary and Artistic works as of April 1998.

In order to gain protection, the publishers of copyrightable works will have to deposit copies of the work with the Ministry of Culture. Protection is granted to every intellectual property work of art no matter what its type, style, form of expression, value or purpose is.

Copyrightable works include written and oral works; computer software; dramatic and musical works; choreographic, cinematographic and photographic works; plastic and applied arts; and folklore. Protection for the lifetime of the author plus 50 years following his/her death is granted.

The Ministry of Culture reserves the right to allow publication of the work of art if the copyright holder has not done so while providing the copyright holder or the heirs with fair compensation.

The Civil Court prosecutes all acts of copyright con-

travention and is entitled to confiscate revenues and counterfeit copies.

## Requirements

### Copyright Applications

1. A simply signed power of attorney.
2. Three copies of the work.
3. A legalized copy of the Deed of Assignment if the applicant is not the author.

### Summary of the Domain Name Registration System

The Internet Network Center is the local registry for the Top Level Domain Name: (TLD) .dz for Algeria. The second level domain name available under .dz includes:

.dz	for all institutions and organizations
.com.dz	for economic and commercial companies
.org.dz	for state related bodies or organizations
.gov.dz	for governmental organizations
.edu.dz	for academic and scientific institutions
.ass.dz	for associations
.pol.dz	for political establishments
.art.dz	for culture and arts

## Requirements

1. French copy of the application form signed and stamped by the applicant stating:
  - a. Registrants name
  - b. Administrative and technical contacts
  - c. The required domain name
  - d. The IP addresses of the primary and secondary name servers
2. A simply signed power of attorney for each domain name (original is required).
3. A copy of the trademark registration certificate.
4. Two French copies of the contract for each domain name signed and stamped by the applicant.

# BAHRAIN

## Bahrain Office

**Premises:** Unitag House, 4th floor, Government Avenue, Manama, Bahrain

**P.O. Box:** 990 Manama, Kingdom of Bahrain

**Tel:** (973) 17 215 464

**Fax:** (973) 17 216 322

**Email:** agip.bahrain@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Mazen Ajawi

## Summary of the Trademark Registration System

As of October 29, 1997, the Kingdom of Bahrain has become a member of the Paris Convention for the Protection of Industrial Property. Nevertheless, claiming priority is still not possible. The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) is followed in Bahrain and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of July 1, 2005.

A separate application is to be filed for each class of goods or services. Once a trade/service mark application is filed, the trademark is examined as to its registrability. Trademark applications accepted by the Registrar are published in the Official Gazette. There is a 60-day period open for filing an opposition by any interested party.

An opposition to the registration of a trademark should be prosecuted before the Registrar by an authorized agent or the proprietors themselves within the prescribed period as from the date of publication. Such an opposition case should be settled by the Registrar. In the absence of an opposition, a published trademark is registered, and the certificate of registration is issued.

It is noteworthy that trademark rights are acquired by registration. However, a trademark application can be opposed successfully upon producing sufficient proof of the prior use of the mark in Bahrain and elsewhere in the world.

A trademark registration is valid for 10 years as from the date of filing the application. Thereafter, a trademark registration can be renewed for periods of 10 years each. The Trademark Law provides for a three-month grace period for late renewal of a trademark.

If a trademark is not renewed, the Law does not allow third parties to register the trademark unless after the lapse of three years from the date of cancellation.

The assignment and the authorized user of a trademark can be recorded once the trademark is registered, but an authorized user can be recorded along with the application for registration at once. Such a recordal is published in the Official Gazette. The assignment of a trademark can be accepted only with the goodwill and the business' concern together. All other changes can be recorded after the registration of a trademark.

Use of trademarks in Bahrain is not compulsory, neither for filing applications for registration nor for maintaining trademark registrations in force. However, a trademark is subject to cancellation by any interested party, who can establish that the trademark was not actually used during the five years preceding the application for cancellation, or that there was no bona fide intention of using the trademark on the goods in respect of which the trademark was registered.

Unauthorized use of a trademark registered under the law or an imitation of such trademark applied on goods of the same class, or sale, storing for the purpose of sale, or exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods of the same class, are offenses penalized under the law in Bahrain.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney for Bahrain should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property - TMP Agents  
PO Box 990, Manama, Bahrain

### Trademark/Service Mark Applications

1. A simply signed power of attorney, stamped with the company's seal.
2. A certified copy of the home registration or any foreign registration of the trademark (except from boycotted countries). If the registration certificate is not available, one of the following documents can be used, provided that the specifications of goods or the line of activity of the applicant is stated thereon and that these are legalized up to the Consulate of Bahrain or any other Arab consulate in the country of the applicant:
  - a. A certificate of incorporation of the applicant company.
  - b. A certificate issued by the Registrar of Companies.
  - c. An extract of the entry of the applicant company in the Commercial Register.
  - d. A certificate issued by the Chamber of Commerce.
3. The full name, address, nationality and profession of the applicant.
4. The list of the goods to be covered by the application, in no more than 6 lines.
5. Eight prints of the mark, if it is a device mark.

### Collective Mark Applications

1. A simply signed power of attorney, stamped with the company's seal.
2. A certified copy of the home registration or any foreign registration of the trademark (except from boycotted countries). If the registration certificate is not available, one of the following documents can be used, provided that the specifications of goods or the line of activity of the applicant is stated thereon and that these are legalized up to the Consulate of Bahrain or any other Arab consulate in the country of the applicant:
  - a. A certificate of incorporation of the applicant company.
  - b. A certificate issued by the Registrar of Companies.
  - c. An extract of the entry of the applicant company in the Commercial Register.
  - d. A certificate issued by the Chamber of Commerce.

3. The full name, address, nationality and profession of the applicant.
4. The list of the goods to be covered by the application in no more than 6 lines.
5. Eight prints of the mark, if it is a device mark.

### Renewal of Trademark/Service Mark Registrations

1. A simply signed power of attorney, stamped with the company's seal.
2. The number and date of registered trademark/service mark.

### Assignment Applications

1. A simply signed power of attorney by the assignee, stamped with the company's seal.
2. A duly legalized deed of assignment signed by the assignor and the assignee.

### Change of Name/Address Applications

1. A simply signed power of attorney in the new name or address, stamped with the company's seal.
2. A letter from the proprietors addressed to the Registrar of Trademarks in Bahrain stating their request, to effect the change of name or address.

### Registered User Applications

1. A simply signed power of attorney by the registered user, stamped with the company's seal.
2. A simply signed power of attorney by the original owners of the trademark, stamped with the company's seal.
3. A license agreement or a registered user agreement duly legalized.

### Amendment Applications

1. A letter from the proprietors addressed to the Registrar of Trademarks in Bahrain stating their request to effect the amendment.
2. Seven prints of the amended trademark/service mark.

### Agency Agreement

1. A power of attorney legalized up to the Bahraini Consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Bahraini Consulate.



## Summary of the Patent and Utility Models Registration System

The new Patent and Utility Models Law No. 1 of 2004, which was issued in January 2004, provides for the protection of patents of invention and utility models in the Kingdom of Bahrain.

According to the Law, patents are valid for 20 years, and utility models are valid for 10 years starting from the filing date of the application.

Patent applications accepted by the Registrar are published in the Official Gazette. There is a 30-day period open for filing an opposition by any interested party. An opposition to the registration of a patent should be prosecuted before the Registrar by an authorized agent, or the proprietors themselves, within the prescribed period as from the date of publication. Such an opposition case should be settled by the Registrar.

The right to a patent may be assigned or licensed. An assignment shall have no effect against third parties unless it has been recorded at the Patent Office and published in the Official Gazette.

The Implementing Regulations for the aforementioned Law have not yet been issued. Accordingly, the Patent Office, at present, is not accepting any new applications until the Implementing Regulations are published and enacted.

Bahrain is party to the Gulf Cooperation Council Patent Office, which provides effective protection for patents.

### Requirements Patent Applications

The requirements for new applications, records and other changes will be determined once the Implementing Regulations are issued.

## Summary of the Design and Industrial Models Registration System

A design registration in the Kingdom of Bahrain is valid for 5 years from the filing date renewable for two additional terms of 5 years each (15 years in total). Issuance of the registration certificate in Bahrain stipulates the existence of a home registration or any other foreign registration of the design. The specifications shall be exactly as shown in the basic registration. It can be either in the form of drawings

or photographs and should show at least three views of the design.

The International Classification for Industrial Designs is not followed in Bahrain and no novelty requirements are required.

Design applications accepted by the Registrar are published in the Official Gazette. There is a 30-day period open for filing an opposition by any interested party.

### Requirements Design Applications

1. A simply signed power of attorney, stamped with the company's seal.
2. The name, address, nationality, and occupation or nature of business of the applicant.
3. A certified copy of the home registration or a registration from any foreign country.
4. Three representations of each design.

### Assignment Applications

1. A simply signed power of attorney by the assignee and stamped with the company's seal.
2. A duly legalized deed of assignment signed by the assignor and the assignee.

### Change of Name/Address Applications

1. A simply signed power of attorney in the new name or address and stamped with the company's seal.
2. A letter from the proprietors addressed to the Registrar of Trademarks in Bahrain stating their request, to effect the change of name or address.

### Registered User Applications

1. A simply signed power of attorney by the registered user and stamped with the company's seal.
2. A simply signed power of attorney by the original owners of the trademark, and stamped with the company's seal.
3. A license agreement or a registered user agreement duly legalized.

## Summary of the Copyright Registration System

The Copyright Law No. 10 of 1993 governs the protec-

tion of Copyright in the Kingdom of Bahrain, and as of March 2, 1997, Bahrain has become a member of the Berne Convention for the Protection of Literary and Artistic Works.

In order to gain protection, the publishers of copyrightable works have to deposit three copies of the work with the Copyright Protection Office at the Ministry of Information. Original works of literature, art and science, regardless of type, importance or purpose are protectable. This includes works of art expressed in writing, sound, drawing, photography and motion pictures, such as books, writings, speeches, oral works, plays, dramatic works, musical compositions, films, phonographic works, applied art and 3-D works. Works may be protected for the lifetime of the author plus 50 years following his/her death. Computer programs and software are protectable under the Law for 40 to 50 years.

In order for protection to be effective, the work of art is to be original and include personal efforts, innovation and new arrangement.

The National Council for Culture, Arts and Literature reserves the right to allow publication of the work of art, if the copyright holder has not done so, or if his/her heirs do not publish it within one year of being informed to do so in writing. In this case, the Ministry of Information can obtain an order from the High Court of Justice, to impound the work and to hand it over to the National Council, while providing the copyright holder or the heirs with fair compensation.

Infringements are prosecuted before the Civil Court of Bahrain. The court can stop the circulation of infringing works, seize and destroy them and the equipment used, estimate the infringers' proceeds, and call upon experts' assessment, in addition to an imprisonment period or a fine.

## Requirements

### Copyright Applications

1. A power of attorney legalized up to the Bahraini Consulate.
2. Three copies of the work.
3. A legalized copy deed of assignment if applicant is not the author.

## Summary of the Domain Name Registration System

The Bahrain Telecommunications Co. (BATELCO) is the local registry for the Top Level Domain Name: (TLD) .bh in the Kingdom of Bahrain. The second level domain name, available under .bh, includes:

.com.bh	to be used for commercial purposes
.gov.bh	to be used by governmental institutes and agencies
.net.bh	to be used by Internet service providers
.edu.bh	to be used by educational bodies
.org.bh	to be used by non-for-profit organizations

All domain name registration applications are served on a "first-come, first-serve" basis. All requests will be processed on an equal basis.

## Requirements

1. Any resident or non-resident company may obtain a domain name registration in Bahrain. According to the regulations, a domain name registration should actively rent a space for the website with BATELCO (minimum space should be 5MB) and have IP numbers for a primary and secondary ISP.
2. A letter (submitted by mail or fax on an official letterhead) requesting the domain name registration.
3. A signed power of attorney legalized up to the Bahraini Consulate or any other Arab consulate (original is required).



# EGYPT

## Summary of the Trademark Registration System

Egypt is a party to the Madrid Agreement Concerning the International Registration of Marks (Act of Stockholm of 1967) as from July 1, 1952. The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) is followed in Egypt and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002.

Once a trademark application is filed, the trademark is examined as to its registrability. Classes 02, 05, 08, 13, 14, 15, 23, 24, 25, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 can claim all the goods they cover, whereas the remaining classes must omit at least one good. Should the mark lack any requirement as provided for in the law and its regulations, the examiner will reject the application. The applicant may appeal such a rejection of its application within thirty days as from the date of receiving the relevant official notification.

Trademark applications approved by the Registrar are published in the Official Gazette. There is a two-month period from the date of publication during which any interested party may file an opposition notice. An opposition to the registration of a published trademark should be prosecuted by either a patent attorney or an applicant before the Registrar. The opposition case is referred to the competent tribunal if not settled by the Registrar or if either party objects to the decision issued by the Registrar. In the absence of opposition, a published trademark is registered, and the relative certificate is issued.

A trademark registration is valid for ten years from the date of filing the trademark application. Thereafter, a trademark registration is renewable for periods of ten years each upon application and payment of the prescribed renewal fees. The Trademark Office serves

## Egypt Office

**Premises:** 51 El-Hegaz Street, 9th floor,  
Mohandseen, Cairo  
**P.O. Box:** 96 Imbabah, 12411 Cairo, Arab Republic of Egypt  
**Tel:** (20-2) 346 2951  
**Fax:** (20-2) 344 5729  
**Email:** agip.egypt@tagi.com  
**Website:** www.agip.com  
**Contact:** Ms. Samar Al-Labbad

a written notice to the registered owner of a trademark at his address as indicated in the register. The notice, which is served during the month following the expiry of the validity term, indicates the date on which the renewal fees should have been paid and calls for payment during the grace period. If the registrant fails to apply for renewal during the six months following the expiry of the stipulated protection period, the Trademark Office will ex officio cancel such registration, which will eventually be removed from the register.

The assignment of a trademark should be recorded, and unless it is published in the Official Gazette and entered in the records of the Trademark Office, an assignment shall not be effective vis-à-vis third parties. The assignment of a trademark must not necessarily be submitted with the establishment of the business concern. Changes in the name and/or address of a registrant must be recorded.

Use of trademarks in Egypt is not compulsory for filing applications for registration or for maintaining trademark registrations in force. However, a trademark registration is vulnerable to cancellation on the strength of a court decision obtained to this effect, by any interested party. A cancellation action relies basically on establishing sufficient grounds that the trademark in question has not actually been used seriously for a period of five consecutive years. A trademark registration is consequently canceled unless the owner proves that non-use of the trademark was for reasonable cause of which the court approves. The Trademark Office or any party concerned is entitled to demand cancellation of any trademark registered in bad faith.

Any infringement or unauthorized use of a registered trademark is punishable under the provisions of the current Trademark Law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Ms. Samar Ahmed Al-Labbad  
PO Box: 96 Imbabah,  
12411 Cairo, Egypt

### Trademark/Service Mark Applications

1. A power of attorney legalized up to the Egyptian Consulate. (To be submitted upon filing of the application).
2. A printing block and ten prints of the trademark for each class.
3. A list of the goods and services to be covered by the application. Classes 02, 05, 08, 13, 14, 15, 23, 24, 25, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 can claim all the goods they cover, whereas the remaining classes must omit at least one good.
4. A certified extract of the entry of the applicant company in the commercial register or a certified copy of the certificate of incorporation, which includes the name, address, nationality, legal status and profession or nature of the business of the applicant, legalized up to the Egyptian Consulate.
5. A certified copy of the priority document must be submitted within six months, in case it is claimed.

According to the new Egyptian regulations, documents mentioned in items 4 and 5 must be available within six months from the filing date. Please be advised that if the documents were not available by the due date, the above-captioned trademark application will lapse.

You are kindly requested to provide us with the above documents at least one-month ahead of time, in order to enable us to prepare the necessary translations prior to filing it at the Egyptian Trademark Office.

### Collective Mark Applications

1. A power of attorney legalized up to the Egyptian Consulate. (To be submitted upon filing of the application).
2. A printing block and ten prints of the trademark for each class.
3. A list of the goods and services to be covered by

the application. Classes 02, 05, 08, 13, 14, 15, 23, 24, 25, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 can claim all the goods they cover, whereas the remaining classes must omit at least one good.

4. A certified extract of the entry of the applicant company in the commercial register or a certified copy of the certificate of incorporation, which includes the name, address, nationality, legal status and profession or nature of business of the applicant legalized up to the Egyptian Consulate.
5. A certified copy of the priority document must be submitted within six months, in case it is claimed.

According to the new Egyptian regulations, documents mentioned in items 4 and 5 must be available within six months from the filing date. Please be advised that if the documents were not available by the due date, the above-captioned trademark application will lapse.

You are kindly requested to provide us with the above documents at least one-month ahead of time in order to enable us to prepare the necessary translations prior to filing it at the Egyptian Trademark Office.

### Renewal of Trademark/Service Mark Registration

1. A power of attorney legalized up to the Egyptian Consulate. If none is available, the power must be available upon filing the renewal application.
2. The number and date of registered trademark/service mark.

### Assignment Applications

1. A power of attorney signed by the assignee and legalized up to the Egyptian Consulate. (To be submitted upon filing of the application).
2. An extract of the entry of the assignee company in the commercial register or a certified copy of the certificate of incorporation legalized up to the Egyptian Consulate.
3. A legalized deed of assignment duly signed by both parties and legalized up to the Egyptian Consulate.
4. Name, address, nationality, legal status and profession or nature of business of the assignee.

### License Applications

1. A legalized license agreement by the Egyptian Consulate.

2. A power of attorney by the licensee and licensor legalized up to the Egyptian Consulate. (To be submitted upon filing of the application).
3. An extract of the entry of the licensee company in the commercial register, or a certified copy of the certificate of incorporation legalized up to the Egyptian Consulate.
4. The name, address, nationality, and profession or nature of business of the licensee.

### Change of Name/Address Applications

1. A power of attorney legalized up to the Egyptian Consulate. (To be submitted upon filing of the application).
2. A certified certificate of the change of name or address.

### Summary of the Patent and Utility Models Registration System

Once an application for the grant of a patent is filed, it is examined with respect to compliance with the formalities and patentability provided for under the Patent Law in Egypt. The Patent Office may require whatever amendments may be necessary to bring the application into conformity with the Law.

The provisions of the Patent Law in Egypt stipulate that an application should be filed before the invention has become known prior to the filing date or the priority date through publication or use worldwide. The Patent Office currently receives many published patents worldwide and stipulates absolute novelty when examining the patent.

Patent applications are examined closely as to the contents and novelty of the invention. Once the application is accepted, it is automatically published in the Official Gazette. Any interested party may oppose the grant of a patent within two months as from the date of publication. The opposition notice is submitted to the competent committee. Should no opposition against the grant of a patent be filed, or should the committee reject an opposition the charges of preparing copies for circulation purposes, which is the final step before grant, must be paid to the Patent Office.

It takes an average of three years from the filing date for a patent application to mature into a granted patent. Annuities are to be paid every year as from the filing date of the application even before the patent is granted. However, according to the current

patent Law, there is a one-year grace period from the due date with a late fine to settle payment of an annuity.

An applicant is entitled to appeal the requirements and conditions of the Patent Office by means of submitting a petition to the competent committee within thirty days as from the receipt of the notice, served to him by the Patent Office. Approved applications are published in the Official Gazette and are rendered open for public inspection.

A patent is valid for twenty years starting from the date of filing the application. Annuities should be paid until the expiry of the patent protection period.

The rights to a patent may be assigned or transferred through succession. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of the patent is compulsory in Egypt. In the event that the owner of a patented invention does not satisfy the stipulated working requirements within three years as from the date of the grant, or within four years from the filing date, which of the two periods is longer, or if working ceases for one year without an acceptable reason, then the patent will be subject to compulsory licensing under the provisions of the law. If within two years as from the grant of the compulsory license, the licensee does not exploit the patented invention, any interested party may apply to the Patent Office demanding the cancellation of the subject patent for non-working.

The rights conferred by a patent on the registered patentee lapse, with the end of the protection period as prescribed by the laws, abandoning of patent rights, final court decision to this effect, non-payment of a due annuity within one year after the respective due date or failing to respond to an official action.

Infringement of the rights of a patentee is punishable under the provisions of the current Patent Law.

### Requirements Patent Applications

1. A power of attorney legalized up to the Egyptian Consulate.

2. A deed of assignment legalized up to the Egyptian Consulate.
3. The name, address, nationality, and profession or nature of business of the applicant(s) and the inventor(s).
4. The specification in English or French for preparing the Arabic translation. The Specification MUST be subdivided as follows:
  - a. Prior art.
  - b. Drawbacks of the prior art.
  - c. What is new about the invention (improvements).
  - d. Detailed description.
  - e. Mode of exploitation of the invention.
5. A summary of the invention (abstract) in English and Arabic (about 100 words).
6. One set of the formal engineering drawings.
7. An extract of the entry of the applicant company in the commercial register, or a copy of the certificate of incorporation. The document in either form should be duly legalized up to the Egyptian Consulate.
8. A certified copy of the priority document must be submitted within three months in case it is claimed.

*Note: Items 1, 2, and 7 must be available within four months from the filing date otherwise the application will lapse irrevocably, and the specification in English or French must be filed with the application. The Arabic Translation must be submitted within six months. On the other hand, the priority document must be filed within three months from the filing date to preserve priority rights.*

### Assignment Applications

1. A power of attorney signed by the assignee and legalized up to the Egyptian Consulate.
2. An extract of the entry of the assignee company in the commercial register or a certified copy of the certificate of incorporation legalized up to the Egyptian Consulate.
3. A legalized deed of assignment from the assignor(s) to the assignee(s).

### License Applications

1. A legalized license agreement up to the Egyptian Consulate.
2. An extract of the entry of the licensee company in the commercial register or copy of the certificate

of incorporation legalized up to the Egyptian Consulate.

### Change of Name/Address Applications

1. A power of attorney legalized up to the Egyptian Consulate.
2. A change of name and/or address certificate legalized up to the Egyptian Consulate.

### Summary of the Design and Industrial Models Registration System

Designs and industrial models are protectable in Egypt through registration with the competent office. The International Classification for Industrial designs is effective in Egypt. A registration is effective with novelty examination.

A design or an industrial model registration is valid for ten years starting from the date of filing the application. A registration can be renewed once for further five years. A registration of a design or an industrial model is subject to cancellation in the event any interested party requests such a cancellation before the competent tribunal, on the grounds that the subject design or industrial model was not novel at the time of filing the relevant application. The registration, assignment and cancellation of design and industrial model registrations are published in the Official Gazette and entered in the register.

Opposition of an industrial design is permitted by the Intellectual Property Law No. 82 of 2002, and can be submitted within two months from the publication date of the industrial design.

The Trade Registry Department may when public interest so requires and subject to the approval of ministerial committee established by a decision of Prime Minister upon submission of the competent minister exclusive license for the exploitation of the protected industrial design against fair competition.

Any infringement or unauthorized use of a registered design or industrial model is punishable under the current Law.

### Requirements Design Applications

1. A power of attorney legalized up to the Egyptian Consulate.



1. Four representations (photographs or drawings) of the design or model on good quality paper; size 33x21 cm.
2. A legalized extract of the entry of the applicant company in the Commercial Register or a legalized copy of the certificate of incorporation; which includes the name, address, nationality,
3. legal status and profession or nature of business of the applicant.
4. A certified copy of the priority document for a convention application. All documents must be available within three months from the filing date.

### Assignment Applications

1. A power of attorney signed by the assignee and legalized up to the Egyptian Consulate.
2. An extract of the entry of the assignee company in the commercial register or a certified copy of the certificate of incorporation legalized up to the Egyptian Consulate.
3. A legalized deed of assignment including the transfer of the ownership of the establishment, which produces the goods for which the trademark is registered.
4. Name, address, nationality, legal status and profession or nature of business of the assignee. In addition to the above, for patent applications, the applicant company must submit an extract from the Commercial Register or the certificate of incorporation, legalized up to the Egyptian Consulate.

### License Applications

1. A legalized license agreement by the Egyptian Consulate.
2. A power of attorney by the licensee and licensor legalized up to the Egyptian Consulate.
3. An extract of the entry of the licensee company in the commercial register, or a certified copy of the certificate of incorporation legalized up to the Egyptian Consulate.
4. The name, address, nationality, and profession or nature of business of the licensee. For patent applications, the applicant company must submit an extract from the Commercial Register or the certificate of incorporation, legalized up to the Egyptian Consulate.

### Change of Name/Address Applications

1. A power of attorney legalized up to the Egyptian Consulate.
2. A certified certificate of the change of name or

address. For patent applications, the applicant company must submit certificate of the change of name or address legalized up to the Egyptian Consulate.

## Summary of the Copyright Registration System

The Copyright Law No. 354 for 1954, which was modified by the Law No. 29 for 1994, allows for copyrightable work in general and computer software in particular. Egypt is also a party to the Berne Convention for the Protection of Literary and Artistic Works, (PARIS Act) and the TRIPS.

Original works of literature, art and science, regardless of type, importance or purpose are protected. This includes works of art expressed in writing, sound, drawings, photography and motion pictures, such as books, writings, speeches, oral works, plays, dramatic works, musical compositions, films, phonographic works, applied art, 3-D works and computer programs. Such works are protected for the lifetime of the author plus 50 years following his/her death.

In order for protection to be effective, the work of art is to be original and include personal efforts, innovation and new arrangement.

The Cultural Affairs' Supreme Council at the Ministry of Culture, reserves the right to allow publication of the work of art for documentary, transitional, educational, cultural or scientific use under certain conditions.

## Requirements Copyright Applications

1. A power of attorney legalized up to the Egyptian Consulate.
2. Filing the respective form for registration purposes.
3. A certificate indicating the registration of the work of art in any other country and the registration data, if any.
4. An original and two copies of the work of art.

## Summary of the Domain Name Registration System

The Egyptian Universities Network (EUN) is the local registry for the Top Level Domain Name: (TLD) .eg in Egypt. The second level domain name, available under .eg, includes:

.eun.eg	Egyptian Universities Network
.edu.eg	Educational sites
.sci.eg	Scientific sites
.gov.eg	Governmental sites
.com.eg	Commercial sites
.org.eg	Egyptian organizations
.net.eg	Other organizations

1. Domain names may be registered for active or inactive usage (reservation for future use).
2. All domain name registration applications are served on a "first-come, first-serve" basis. All requests will be processed on an equal basis.

## Requirements

1. A power of attorney legalized up to the Egyptian Consulate (Original is required).
2. A letter (submitted by mail or fax on an official letterhead) requesting the domain name registration.
3. A copy of the trademark registration certificate in Egypt corresponding to the required domain name.

# GCC PATENT OFFICE

## GCC Patent Office

**Premises:** Al-Khaldiya Building, South Entrance, 2nd floor, Olaya Main Street, Riyadh  
**P.O. Box:** 9767, Riyadh 11423, Kingdom of Saudi Arabia

**Tel:** (966-1) 464 2936  
**Fax:** (966-1) 465 2713

**Email:** agip.ksa@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Ma'an Al-Khen

## The Gulf Cooperation Council

There's an ancient Arab proverb that says: "Cherish your brother, for he who is brotherless is like a warrior in a battle without weapons." The Arab Gulf states, whose common history encompasses more than two millennia, have especially strong brotherly relations that bind them together. So it was a natural conclusion that these bounds should express themselves formally.

The Treaty to establish the Gulf Cooperation Council (GCC) was signed in Abu-Dhabi, the capital of the United Arab Emirates, by the heads of six Arab Gulf states May 25, 1981. The GCC comprises the United Arab Emirates, Kingdom of Bahrain, Kingdom of Saudi Arabia, Sultanate of Oman, State of Qatar and State of Kuwait.

The six member states have many similarities, chief among them are the Islamic foundations of their political systems, their deep-rooted and unambiguous Arab identity, and the historical tribal and social ties between their societies.

Based on this, the GCC states were joined in a collaborative structure that encourages the coordination of foreign policies, economic integration and social inter-connection among the member states in all fields in order to achieve unity, according to article 4 of the GCC Charter.

The strengthening of relations, links and areas of cooperation among their citizens, cannot be emphasized more than in the area of trade. The geographic facts of the Arab Gulf show the vitality of the region, which is surrounded by three major naval routes, linking Asia and Africa, to the rest of the Arab World. Trade bonds the GCC States and presents them as a unified economic bloc to the rest of the world.

## GCC Patent Office

Wherever there is trade, there are goods and services, and wherever there are goods and services there are Intellectual Property Rights (IPRs), to protect these goods and services. The GCC, in tune with the winds of globalization, has begun to pay heed to these IPRs. The first successful step has been the GCC Patent Office.

The Supreme Council of the Gulf Cooperation Council (GCC), issued the Unified Patent Law in December 1992, followed by the Implementing Regulations in 1996. The GCC Patent Office designated to fulfill the requirements of the Law was opened in Riyadh, Saudi Arabia. It began accepting the filing of applications as of October 3, 1998.

In November 1999, the GCC Council proposed further amendments to the Law and the Amended Law became effective as of August 16, 2000.

Protection of the Gulf Cooperation Council (GCC) patent extends to members of the GCC Countries, namely Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and UAE.

## Procedures of the GCC Patent Office

Once an application for a patent is filed with the GCC Patent Office, it is examined with respect to the compliance of the applicant with the formalities. If executed satisfactorily, the application receives a filing number and the filing date is secured. The Patent Law stipulates absolute universal novelty.

Disclosure of the invention anywhere, expressed by use, in writing, by oral disclosure, or in any other way before the relevant date of filing of the patent application, or the priority date of validity claimed in

respect thereof, shall destroy the required absolute novelty unless the disclosure has occurred due to arbitrary actions of others, against the applicant or his predecessor or as a result thereof.

The patentee may claim priority of a previous application from another country or regional application within 12 months of the original filing.

A patent is valid for twenty years from the date of filing of the patent provided the maintenance annuities are paid. A patent is subject to annuity due at the beginning of each year subsequent to the year in which the application was filed and payable within a period of three months (January 1 to March 30). Late payment is possible within three months thereafter in exchange for an additional fee.

The patentee shall exploit the invention covered by the patent as sufficient exploitation in the GCC member states, within three years from the date of granting. If the prescribed grace period lapsed without the patent being sufficiently exploited, the Board of Directors may grant a compulsory license according to specific conditions.

## Filing Requirements

1. A power of attorney in the name of Mr. Suleiman Ibrahim AL-Ammar, Saudi Arabia executed by the applicant, duly notarized and legalized up to the Consulate of any GCC country.
2. A certified copy of the certificate of incorporation or an Extract from the Commercial register of the applicant company duly legalized by the Consulate of any GCC country.
3. A deed of Assignment executed by the inventor(s), assigning their patent rights to the applicant, also notarized and legalized up to Consulate of any GCC country.
4. Certified copy of Priority documents. If the documents are not in English, a simple English translation is required.
5. Two copies of the specification and claims in English and Arabic, prepared strictly in the following order:
  - Title of the invention
  - Technical field
  - Technical background
  - Disclosure of the invention
  - Description of drawings
  - Detailed description of the invention
  - Method of industrial application of invention

- Claims
- Abstract of invention
- Drawings, if any

6. The Arabic text of the specification and claims on a diskette as MS Word format.

### *Note:*

*A GCC patent application can be filed with the English text of specification and claims together with the Arabic translation thereof. Documents 1, 2, 3 and 4 above should be submitted to the GCC Patent Office within three months from the date of filing the application. Failure to meet the deadline will cause the application to lapse as no extension is granted by the GCC Patent Office.*



# INDIA

## India Office

**Premises:** Abu-Ghazaleh Intellectual Property TMP Agents India Pvt. Ltd., HL Arcade, 3rd Floor, Plot No. 14, Sector-V (MLU) Dwarka New Delhi 110075, India

**Tel:** +91-11-2507 5770 /+91-11-329 89122

**Fax:** +91-11-2507 5769

**Email:** agip.india@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Khalid AL-Khalidi

## Summary of the Trademark Registration System

India became a member to the Paris Convention for the Protection of Industrial Property December 7, 1998; hence an applicant can claim priority of up to 6 months as per the Convention. The International Classification of Goods and Services for the Purposes of the Registration of Marks consisting of 42 classes is followed in India.

The revised Trademarks Law came into effect September 15, 2003 and allows protection of service marks in international classes 35 to 42. A single application can be made in respect of more than one class of goods for a single mark, but statutory fees remain the same whether a single application is filed for all relevant classes of goods or a separate application is filed with respect to each class of goods.

Once a trademark application is filed, it is examined as to its registrability and existence of prior rights. If there are any objections to the registration, an examination report is sent to the applicant. Except in a few cases, examination reports are issued as a matter of practice.

Once an examination report is issued, applicant or his representative has to attend the hearing. Trademark applications accepted by the Registrar are published in the Trademarks Journal. An opposition to the registration of a trademark may be filed before the Registrar by the applicant himself or through a lawyer within three months as from the date of the publication. Opposing party can seek an extension of one month to file the notice of opposition. In the absence of an opposition, the relevant certificate of registration is issued.

In case of an opposition, after hearing both sides, the Registrar would give his decision. Either of the

parties may file an application for review of the Registrar's decision within one month from the date of such decision. After such review of the decision or without applying for such review, any party may make an appeal to the Intellectual Property Appellate Board within three months of the Registrar's decision.

After registration of a trademark, plea for cancellation of the trademark pleading that registration of the trademark is invalid should be prosecuted before the Appellate Board.

A trademark registration is valid for ten years from the date of filing the application, renewable for periods of ten years each. In case of a convention application, the ten-year period begins from the earliest priority date. Trademarks that are registered before September 15, 2003 will remain valid according to the old law (seven years); they would be renewed for ten years. In case of applications filed before this date and registered on or after this date, validity period shall be ten years.

Application for renewal of the mark should be made before expiration of the said seven or ten-year period. After that, the mark can be renewed by paying surcharge within six months of the expiry date. If not renewed within the said six months, the mark would be removed from the register of trademarks. An application for restoration and renewal can be filed within one year from the date of expiration of the registered trademark. If no action is taken within the said one-year period, a fresh application for registration of the mark is to be done.

The assignment of a trademark can be recorded while an application for registration of the mark is pending or after the mark is registered. In case of registered marks, unless an assignment has been entered against the trademark in the register, the assignment cannot be enforced.

Assignment can be in respect of either all goods or services in respect of which the trademark is registered, or of some of those goods or services. If assignment of a trademark is without transfer of goodwill of the business, it has to be registered with Trademarks Registry within six months of the assignment deed; otherwise the assignment shall not take effect.

Use of marks in India is not compulsory for filing applications or necessary for maintaining registrations in force. However, a registration is vulnerable to cancellation upon submitting an application by any aggrieved person, if the trademark was not actually used during the five years immediately preceding the application for cancellation, or that the trademark was registered without any bona fide intention on the part of the applicant for registration that it should be used in relation to those goods or services by him, and in fact there has been no bona fide use of the trademark in relation to those goods or services up to a date three months before the date of the application for cancellation.

Unauthorized use of a trademark registered under the law or an imitation of such trademark applied on goods and services of the same class, or sale, storing for the purpose of sale, or exhibiting for sale of goods and services bearing a counterfeited mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods or services of the same class are offenses punishable under the law. Well-known trademarks in international market whether registered in India or not and known to the substantial segment of the public, which uses or receives such goods, are recognized by law.

## Requirements

*Note: According to India's Trademarks Law, when a trademark consists of several matters, its registration shall confer upon the proprietor exclusive right to the use of the trademark taken as a whole. Further, it states that, registration of a mark shall not confer any exclusive right in the matter forming only a part of the whole of the registered mark. Hence, if any part or a word in a graphic mark is to be protected by way of registration, registration of each such part or word is necessary.*

## Trademark/Service Mark Applications

*Note: All documents should be in English, or a certified/notarized English translation is required.*

1. A simply signed Power of Attorney; this can be filed after filing the application.
2. Name/s, nationality, occupation and address of the applicant/s.
3. A list of the goods/services and the corresponding class/es (as per Nice Classification containing 42 classes).
4. The following additional details are needed in respect of trademarks to be registered:
  - In case of word marks or graphic marks containing words not in English, name of the language and English translation of the word/s;
  - In case of graphics (2D or 3D), a brief explanation of the mark and 10 copies of the mark;
  - In case of three dimensional (3D) mark, two dimensional graphic or photographic reproduction of three different views of the mark;
  - In case of marks consisting of shape of goods or its packaging, at least five different views of the trademark and a description by word of the mark;
  - If a mark is to be registered wholly or in part to any combination of colors, 10 copies of the mark (if a mark is registered in black and white, it shall be deemed to be registered for all colors);
5. A certified priority document or a copy of it duly notarized, if priority is to be claimed. If the certificate is not in English, a certified /notarized English translation is required. If it is not readily available, the application can be filed based on basic application, number, date of the application and country of the application. A copy of the priority document can be submitted within two months of filing the application.
6. From which date (or month of the year or year) the mark is being used in India. If not used in India, mention 'proposed to use'. If the mark is used only in respect of a few of the goods/services listed, date (or month of the year or year) since when the mark is used in India and items of goods/services in respect of which the mark has actually been used. Such use could be by the applicant/s or predecessor (assignor etc.)

## Renewal of Trademark/Service Mark Registrations

1. A simply signed Power of Attorney.
2. The trademark registration number and the mark registered along with a copy of the registration certificate.

## Assignment Applications

1. A simply signed Power of Attorney.
2. Trademark application /registration number and the mark proposed to be registered/ registered.
3. A notarized copy of the assignment deed signed by both the assignor and the assignee.
4. Name, address, nationality, and profession or nature of business of the assignee.
5. Whether the assignment is with or without goodwill of the business. If it is without goodwill of the business, it has to be registered with Trademarks Registry within six months of the assignment deed.

## Change of Name Applications

1. A simply signed Power of Attorney in the new name and /address.
2. A notarized copy of the change of name certificate issued by the competent authority.

## Change of Address Applications

A simply signed Power of Attorney with the new address

## Summary of the Patent Registration System

India became a member of the Paris Convention for the Protection of Industrial Property and the Patent Cooperation Treaty (PCT) December 7, 1998.

Under Paris Convention, an application should be filed in India within twelve months from the date of the basic application filed in home country of the applicant.

For National Phase entry under PCT, as against the minimum period of 30 months prescribed by the PCT, Indian law allows 31 months under chapters I and II. Amendments made to the International application in response to the Search Report or Preliminary Examination Report can be considered as amendments made to the patents specifications at the option of the applicant/s.

All applications are published after eighteen months of priority date. In case of National phase applications under PCT, they are published immediately after filing, as eighteen months from the priority date would have been generally over.

A request for examination has to be filed within thirty six months from the date of priority, but after the pub-

lication. An applicant can request for early publication if a request for examination is desired to be filed earlier so that the application is prosecuted faster.

Patent applications are examined in the order of filing request for examination with respect to compliance with formalities and patentability requirements. Novelty is not limited to India. A novelty examination generally takes into consideration any specification previously lodged with the Patent Office, any patent previously granted in various countries and any other materials an examiner treats as relevant. The Patent Office may ask to make amendments that it deems necessary to conform to the requirements.

An examiner has to examine an application allotted to him within three months. An applicant has to address the objections within six months from the first office action with a provision to extend further three months. Once an application is accepted, it would be granted a patent and would be published in the Official Journal of the Patent Office.

There are provisions for both pre-grant and post-grant opposition. In case of pre-grant opposition, after publication but before grant, any person may file a representation by way of opposition with the Controller of Patents on the ground of patentability including novelty, inventive step and industrial applicability or non-disclosure or wrongful mentioning of source and geographical origin of biological material used in the invention in complete specification, and anticipation of invention by the knowledge, oral or otherwise, available within any local or indigenous community in India or elsewhere. Rights of an opponent are limited here as law prescribes that an opponent shall not become a party to any such proceedings only for the reason that he has made such representation.

Post-grant opposition is elaborate. Any interested person may give a notice of opposition within one year from the date of publication of grant of the patent. In addition to the grounds mentioned above in pre-grant opposition, post-grant opposition can be on the grounds of prior use in India, insufficient explanation of the invention or the method of manufacture, application in India after the prescribed period for claiming priority, etc. The Controller constitutes an Opposition Board to decide the matter after going through the materials furnished by both the parties and statements made during hearing, if any.

A patent is valid for twenty years from the date of filing the application. In case of National Phase applications under PCT, International application date

is treated as the date of the application. Though convention applications get priority under Paris Convention, for such applications, the twenty years period commences from the date of application in India.

A patent will remain valid subject to payment of the prescribed annuity (annual fees) and the annuity is to be paid only after issuance of a patent.

The right to a patent may be assigned, licensed or transferred through succession. The assignment of patent applications or granted patents must be made in writing.

Working of patents is an official requirement in India. In case the owner or a licensee/s of a patented invention fails to satisfy the stipulated working requirements of the country within three years as from the date of grant, the patent will be subject to compulsory licensing under the provisions of the Law.

The rights conferred by a patent on the registered patentee expire on the lapse of the protection period as prescribed by the Law, lawful assignment of the patent rights, final court decision to this effect or nonpayment of annuity fees.

In a suit for infringement, a court may grant an injunction and damages or an account of profits.

**Note:**

- Computer programs with technical applications to industry or a combination with hardware are patentable.
- Additional fee is payable if specification exceeds 30 pages and claims exceed 10.

**Special note:**

India's Patent law was amended with effect from January 1, 2005 and the special provisions are as follows:

- Before the amendment, in the case of inventions

- a. claiming substances intended for use, or capable of being used, as food or as medicine or drug or
- b. relating to substances prepared or produced by chemical processes (including alloys, optical glass, semi-conductors) and inter-metallic compounds), no patent was granted in respect of claim for the substances themselves, but claims for the methods or processes or manufacture were patentable.

Upon the amendment of the law, the above provision has been deleted and hence all such substances and

related processes are now patentable.

- Generally, once a patent is granted, it would be valid for twenty years from the date of the application (international application in respect of PCT) and rights thereof accrue from the date of the publication. In respect of inventions mentioned above, for applications pending as of December 31, 2004, though patents granted would expire after twenty years from the date of the application, rights under such patents would accrue only after the grant of the patent.

- Request for Examination' in respect of such pending applications is to be filed on or before December 31, 2005.

## Requirements Patent Applications

*Note: All documents should be in English, or a certified /notarized English translation is required.*

1. A simply signed Power of Attorney; this can be filed after filing the application.
2. A declaration signed by the inventor/s or a notarized copy of the assignment from the inventor/s to the applicant/s; this can be filed after filing the application.
3. In case of National Phase application under the PCT, International Application number, title of the invention, applicant/s in India, any amendments filed to the International Application. If the International Application or WIPO Publication was not in English, a certified/notarized English translation is required.
4. In the case of convention application under the Paris Convention, one copy of the specification including claims and drawings, a certified copy of the basic application or its notarized copy. If the certificate is not in English, a certified/notarized English translation is required. If it is not readily available, the application can be filed based on basic application number, date of the application and country of the application.

**Notes:**

1. Applications for patents can be filed without a power of attorney or inventor's declaration and these would be required once first office action commences.
2. Annuities are paid only after the grant of a patent, but annuity from the date of application has to be paid.
3. All documents should be in English, or certified /notarized English translation is needed.



4. Pursuant to the recent amendments in the Patent Rules (with effect from January 1, 2005), the official fees have been increased substantially. Patent specifications in excess of 30 pages and claims in excess of 10 attract excess fees. Grant fee (sealing fee) in respect of a patent is no longer payable.
5. The recent amendments have really revamped the patent system in India and cut short procedural delays considerably.
6. According to the said amendments, the Request for Examination has to be filed within thirty-six months from the date of the priority. The 'First Office Action' is generally issued within three months of filing the 'Request for Examination' and within six months from the date of the 'First Office Action,' the application should be put in order after complying with all the requirements. An extension of 3 months for putting the application in order would be available on payment of late fee, which is considerably high.

### Assignments Applications

1. A simply signed Power of Attorney.
2. Patent application number/a copy of patent certificate in case of patents granted.
3. A notarized copy of the assignment deed signed by both the assignor and the assignee.
4. Name, address, nationality, and profession or nature of business of the assignee.

### Change of Name Applications

1. A simply signed Power of Attorney.
2. A notarized copy of the change of name certificate issued by the competent authority

## Summary of the Design and Industrial Models Registration System

India became a member to the Paris Convention for the Protection of Industrial Property December 7, 1998; hence an applicant can claim priority of up to 6 months as per the Convention. Locarno Classification for Industrial Designs (32 Classes) is implemented in India, although India is not a party to the Locarno Agreement. Industrial designs are protectable in India through registration with the patent office.

Once a design application is filed, an examiner shall examine the application for novelty and other legal requirements. The design should be new, original and should not have been disclosed anywhere in India or any other country by publication or by use prior to the

filing date or priority date. Certificate of registration is issued in respect of design applications accepted by the Controller and published in the Official Gazette. Any person interested may present a petition for the cancellation of the registration of the design at any time after the registration of the design to the controller for want of novelty or for not fulfilling any other requirement under the law.

Upon a design registration, the registered proprietor shall have a copyright in the design initially for a period of ten years starting as from the date of registration. The period of copyright can be extended for a second period of five years from the expiration of the original period of ten years on payment of the prescribed fee. There is no provision in the Design Law of India for compulsory working with respect to designs.

Piracy of a registered design is a civil offence and the proprietor can claim damages in addition to seeking injunction.

### Requirements Design Applications

*Note: All documents should be in English or a certified /notarized English translation is required.*

1. A simply signed Power of Attorney; this can be filed after filing the application.
2. A document supporting the right of the applicant in the design, in the event the applicant is not the creator.
3. Specify the novel aspects of the design.
4. The article(s) covered by the design and the material used in producing these items.
5. The class in which the design is to be registered.
6. Four sets of representations of the design.
7. A certified priority document or a copy of it duly notarized, if priority is to be claimed. If the certificate is not in English, a certified /notarized English translation is required. If it is not readily available, the application can be filed based on basic application number, date of the application and country of the application. A copy of the priority document can be submitted within two months of filing the application.

### Assignment Applications

1. A simply signed Power of Attorney.
2. Design application number or a copy of design registration certificate in case of registered designs.
3. A notarized copy of the assignment deed signed

- by both the assignor and the assignee.
4. Name, address, nationality and profession or nature of business of the assignee.

### Change of Name Applications

1. A simply signed Power of Attorney.
2. A notarized copy of the change of name certificate issued by the competent authority.

### Summary of the Copyright Registration System

The Copyright Act of 1957 governs the protection of copyright in India. India is a signatory to Berne Convention for the Protection of Literary and Artistic Works and Universal Copyright Convention. Protection covers original literary, dramatic, musical and artistic works, cinematograph films and sound recording.

Registration of a copyright is optional and is a property flowing naturally from the act of creation without the formality of registration provided the subject matter is in some permanent form. This right is enjoyed by residents of all the member countries of Berne Convention and Universal Copyright Convention, to the extent of protection given by these countries to Indian residents.

Those seeking registration of copyrightable works shall have to deposit four copies of the work with the Registrar of Copyrights. The duration of protection is the lifetime of the author plus sixty years following his/her death. Infringement of copyright is both a civil and criminal offence. A copyright owner can seek both the remedies from the Court.

### Requirements

#### Copyright Applications

(Copyright owners from countries that are party to the Berne Convention and Universal Copyright Convention do not require registration)

For written material or other copyrightable works:

1. A simply signed power of attorney.
2. Four copies of the work.
3. A document supporting the right of the applicant in the work, in the event the applicant is not the author.
4. Name, address and nationality of the applicant.

5. Name, address and nationality of the author and if the author is deceased, the date of his decease.
6. Copies of notice of the application which has been sent to every person who has any interest in the subject matter of the copyright.
7. Title, language and brief description of the work.
8. Whether the work is published or not; if published, year and country of first publication, name, address and nationality of the publisher; years and countries of subsequent publications, if any, and names, addresses and nationalities of publishers.
9. Names, addresses, and nationalities of the owners of the various rights comprising the copyright in the work and extent of rights held by each together with particulars of assignments and licenses, if any.

### Summary of the Domain Name Registration System

Domain names with the following extensions can be registered in India by any individual or a company, subject to availability: .in, .co.in, .net.in, .org.in, .gen.in, .firm.in, .ind.in.

#### Requirements:

No documents are required and anyone can register domain names with the above extensions.

# IRAQ

## Summary of the Trademark Registration System

Iraq is a member to the Paris Convention for the Protection of Industrial Property (Act of Stockholm of 1967). Registration of trademarks in Iraq is effective under the provisions of the Trademarks and Descriptions Law No. 21 of 1957, and its subsequent amendments.

Order No. 80 issued by the Coalition Provisional Authority April 26, 2004 amended the aforementioned Trademarks Law. The Law was renamed the "Trademark and Geographical Indications Law."

The classes of goods are subdivided. The wording of the goods to be included in the application should be in conformity with the local classification, which is almost identical to the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). An application can include goods in any number of classes, but with additional charges for each additional class.

Service marks are registrable as of April 29, 2001 according to the International Classification. The prints of the trademark should show the Arabic transliteration of the mark in a larger lettering on top of the word in Latin. The prints of a trademark covering goods in class 34 should contain the statutory warning in both English and Arabic languages along with the trademark denomination and should include the label of the trademark as used.

Once a trademark application is filed, it is examined as to registrability and to ensure that no prior identical or similar trademark has been registered. Trademark applications accepted by the Registrar are published in three consecutive issues of the Official Gazette. Any interested party may file a written opposition against the registration of the trademark within 90 days as of

## Iraq Office

**Premises:** Mahala 712, Zukak, 25, Building 11/2  
Al-Muthana District, Zayona, Baghdad, Iraq

**P.O. Box:** 28361 Al-Dawoodi  
Postal Code 12631, Baghdad, Iraq

**Tel.:** +9641 7470524, +9641 7470527

**Fax:** +9641 7726367

**Email:** agip.iraq@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Mohammad Al-Jabouri

the date of the last advertisement. In the absence of opposition, a published trademark is registered, and the relevant certificate of registration is issued.

A trademark registration is valid for fifteen years as of the filing date of the application, renewable for similar periods. The Trademark Law in Iraq does not provide for a grace period during which a late renewal application can be filed. However, the Trademark Office may grant, upon request, a grace period of one month so that a trademark renewal may be effective. Alternatively, the trademark will be re-filed with a validity extending for fifteen years as of the expiry date of the registration.

The assignment of a trademark registration should be recorded. Unless it is published in the Official Gazette and entered in the records of the Trademark Office, an assignment shall not be effective vis-à-vis third parties. The assignment of a trademark registration must be with the goodwill of the business concern, unless otherwise agreed upon. Changes in the name and/or address of a registrant must be recorded.

Use of trademarks in Iraq is not compulsory for filing applications for registration, or for maintaining trademark registrations in force. However, a trademark registration is vulnerable to cancellation on the basis of a court decision obtained to this effect by any interested party. A cancellation action relies basically on establishing sufficient grounds that the trademark in question has not actually been used seriously for a period of two consecutive years. A trademark registration is consequently canceled unless the owner proves that nonuse of the trademark was for reasonable causes of which the court approves.

The Trademark Office or any party concerned is entitled to demand cancellation of any trademark registered in bad faith. Any infringement or unauthorized use of a registered trademark is punishable under the provisions of the current Trademark Law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property  
PO Box 28361, Al-Dawoodi 12631, Baghdad, Iraq

OR

Advocate Zaid Isam Abdul-Wahab Al-Khattab  
PO Box 28361, Al-Dawoodi 12631, Baghdad, Iraq

### Trademark/Service Mark Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. The name, address, nationality, and occupation of the applicant.
3. The classes and subclasses of the goods to be covered by the application. The wording of the list of goods to be protected must conform to the local classification, which is similar to the International Classification.
4. Ten prints of the trademark; a local requirement stipulates that Arabic transliteration should be shown above the Latin script.

### For Filing in Class 34:

Labels for trademark.

### Assignment Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.

2. A duly legalized deed of assignment signed by both the assignor and the assignee, and two photo static copies of the same.

### Change of Name Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. A duly legalized certificate of change of name issued by the Chamber of Commerce or any competent authority.

### Change of Address Applications

A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.

### License Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. A legalized license agreement, executed by both licensor and licensee (preferably in English) as well as two copies thereof.

## Summary of the Patent Registration System

Once an application for the grant of a patent is filed, it is examined with respect to compliance with formalities and patentability provided for under the Patent



Law. The Patent Office may require whatever amendments may be necessary to bring the application into conformity with the Law. In the event the applicant does not comply with the requirements of the Patent Office within a given grace period as authorized by the Registrar, a patent application will be treated as renounced.

Once an application is accepted, the grant decision will be published after which the relevant letters patent will be issued. It takes at least 2 to 3 years for the letters patent to be issued after the usual acceptance process, and this involves additional costs to the applicant. Annuities are to be paid every year on the anniversary date of completing the relevant file at the Patent Office with the required documents. However, payment of annuities may not be made to the Patent Office except after the grant of the patent.

A patent is valid for twenty years starting from the date of completing the application submitted to the Patent Office. Such validity is subject to payment of the prescribed annual fees that are calculated from the date of completing the filing requirements. All the unpaid annuities are collected from the applicant with a retroactive effect upon the grant of the patent.

The rights to a patent may be assigned or transferred through succession. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been published in the Official Gazette, and duly entered in the relevant records of the Patent Office.

Working of patents in Iraq is an official requirement. In the event that the owner of a patented invention in Iraq does not satisfy the stipulated working requirements within three years, as from the date of grant, or if working the invention ceases for two consecutive years, then the patent will be subject to compulsory licensing under the provisions of the law. Patentees are not permitted to effect nominal workings of their patents.

It is worth noting that Order No. 81 issued by Coalition Provisional Authority April 26, 2004 amended the Patent Law No. 65 of 1970 to Patents, Industrial Design, Undisclosed Information, Integrated Circuits and Plant Variety Law.

## Requirements Patent Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must

appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.

2. The name, address, occupation and nationality of the applicant.
3. Eight copies of a summary of the invention in English with the Arabic translation.
4. Eight copies of the specifications and claims in English with the Arabic translation.
5. Eight sets of the drawings, if any.

### Note:

*The Registrar of patents may ask for a legalized copy of the corresponding foreign basic letters patent and/or a novelty search report.*

## Assignment Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. A duly legalized deed of assignment signed by both the assignor and the assignee, and two photo static copies of the same.

## Change of Name Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. A duly legalized certificate of change of name issued by the Chamber of Commerce or any competent authority.

## Change of Address Applications

A power of attorney duly legalized up to the Consulate

of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.

## Summary of the Design and Industrial Models Registration System

The procedures for the registration and protection of designs in Iraq are similar to those of patents, except for the requirement of two miniature models of the design made of plastic or metal. A design registration is valid for seven years. Annuities are to be paid to maintain the design registration. Renewal of a design registration is not provided for in the Law.

Order No. 81 issued by Coalition Provisional Authority April 26, 2004 amended the Design Law No. 65 of 1970 to Patents, Industrial Design, Undisclosed Information, Integrated Circuits and Plant Variety Law.

### Requirements Design Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. The name, address, nationality and occupation of the applicant.
3. Eight copies of a short description of the design.
4. Eight copies of drawings or reproductions of the design.
5. Two miniature models of the design.

### Assignment Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly

try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.

2. A duly legalized deed of assignment signed by both the assignor and the assignee, and two photo static copies of the same.

### Change of Name Applications

1. A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.
2. A duly legalized certificate of change of name issued by the Chamber of Commerce or any competent authority.

### Change of Address Applications

A power of attorney duly legalized up to the Consulate of Iraq. The power of attorney must be legalized and the legalization stamp must appear on the back of the power sheet itself, otherwise the registrar will reject the power of attorney. However, if your client cannot legalize it up to the Iraqi Consulate, kindly try to legalize it up to the Jordanian Consulate and we shall complete the legalization in Jordan at the cost of USD 250.

## Summary of the Copyright Registration System

Order No. 83 issued by Coalition Provisional Authority April 29, 2004 amended the Copyright Law No. 3 of 1971, which governs the protection of copyright in Iraq. However, the afore-mentioned Law is still not implemented yet.

In order to gain protection, the publishers of copyrightable works will have to deposit copies of the work with the Ministry of Culture. Protection is granted to every intellectual property work of art no matter what its type, method of expression, importance and purpose is.

Copyrightable works include written and oral works; computer programs; dramatic and musical works; cinematographic and photographic works; drawings

and scientific three-dimensional figures. Protection for the lifetime of the author plus 50 years following his/her death is granted.

Protection of related rights such as performers, producers of phonograms, and broadcasting organizations is also incorporated in the Law.

# JORDAN

## Jordan Office

**Premises:** TAGI Campus, Queen Noor Street, Shmeisani  
**P.O. Box:** 921100, Amman 11192 Jordan  
**Tel:** (962-6) 5100 900  
**Fax:** (962-6) 560 3941  
**Email:** agip.jordan@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Mazen Al-Tamimi

## Summary of the Trademark Registration System

Jordan is a member to the Paris Convention for the Protection of Industrial Property. The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification, 7th edition) is followed in Jordan. The new amendment of the Trademark Law of 1999, allows for the protection of service marks in international classes 35 to 42. A separate application should be filed with respect to each class of goods.

Once a trademark application is filed, it is examined as to its registrability and existence of prior rights. Trademark applications accepted by the Registrar are published in the Official Gazette. There is a three-month period open for filing opposition by any party. An opposition to the registration of a trademark should be prosecuted before the Registrar by a lawyer within three months as from the date of publication. The opposition case is referred to the High Court of Justice if not settled before the Registrar or if either party appeals the Registrar's decision. In the absence of an opposition, the relevant certificate of registration is issued.

A trademark registration according to the new Law is valid for 10 years from the date of filing the application or from the priority date renewable for periods of 10 years each. Trademarks that have already been filed or registered before December 1, 1999 will remain valid according to the old law (7 or 14 years); they shall be renewed every 10 years. The new Trademark Law provides for a one-year period for late renewal of a trademark. If a trademark registration is not renewed within the grace period as from the date of expiration it will be canceled automatically.

The owner of a lapsed mark due to non-renewal has the exclusive right to re-file the same trademark within one year from the expiry date. Any other

interested party may file the same trademark after the expiry of another year.

The assignment of a trademark can be recorded once it is registered. In fact, unless an assignment has been entered against the trademark in the register and published in the Official Gazette, the assignment shall not be effective vis-à-vis third parties. Changes in the name or address of a registrant, amendment of a trademark and limitation of goods covered by a registration should be recorded as well.

Use of marks in Jordan is not compulsory for filing applications or necessary for maintaining mark registrations in force. However, a mark registration is vulnerable to cancellation and can be canceled by any interested party, who can establish that the trademark was not actually used during the three years immediately preceding the application for cancellation, or that there was no bona fide of using the mark on the goods or services in respect of which the mark was registered.

Unauthorized use of a trademark registered under the law or an imitation of such trademark applied on goods and services of the same class, or sale, storing for the purpose of sale, or exhibiting for sale of goods and services bearing a counterfeited mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods and services of the same class, are offenses penalized under the Jordanian law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property - TMP Agents  
PO Box 921100, Amman 11192, Jordan

*Note: One Power of Attorney can be used for filing several applications in the name of the same applicant.*

### **Trademark/Service Mark Applications**

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. The name, nationality, address and occupation of the applicant.
3. A list of the goods and the corresponding classes to be covered by the application.
4. Fifteen prints of the trademark for each class of goods.
5. A certified priority document, if priority to be claimed.

### **Renewal**

1. A power of attorney notarized and legalized up to the Jordanian Consulate in case we are not already in possession of a legalized one.
2. The trademark number and class.

### **Recording Change of Name and Address**

1. A power of attorney notarized and legalized up to the Jordanian Consulate in the new name.
2. A certificate of change of name and address or an extract from the home registry notarized and legalized up to the Jordanian Consulate.

### **Recording an Assignment**

1. A power of attorney signed by the assignee, notarized and legalized up to the Jordanian Consulate.
2. An assignment deed signed by both assignor and assignee, notarized and legalized up to the Jordanian Consulate.
3. Name, address, nationality, and profession or nature of business of the assignee.

### **Recording a License Agreement**

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. License agreement document notarized and legalized up to Jordanian Consulate.
3. Trademark registration number and class.

### **Recording a Merger**

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Merger document notarized and legalized up to the Jordanian Consulate.

### **Recording Change of Name**

1. A power of attorney notarized and legalized up to the Jordanian Consulate in the new name and/or address.
2. A certified and legalized copy of the change of name certificate issued by the home registry.

### **Recording Change of Address**

A power of attorney notarized and legalized up to the Jordanian Consulate in the new address.

### **Obtaining a Certified Copy of Registration**

A power of attorney notarized and legalized up to the Jordanian Consulate.

### **Summary of the Patent Registration System**

Jordan is a member to the Paris Convention for the Protection of Industrial Property. Novelty in Jordan is not limited to the country. Once an application for the grant of a patent is filed, it is examined with respect to compliance with formalities and patentability provided for under the Patent Law.

An application should be filed in Jordan within twelve months as from the date of the first international publication or within twelve months as from the date of first filing in order to claim priority; and it must be in accordance with the application filed in the home country.

Amendment of patent's specifications is possible before the official grant of the subject patent, provided that said amendments do not exceed what has been disclosed in the original application.

A novelty examination takes into consideration any specification previously lodged with the Patent Office or any patent previously registered. The Patent Office may require whatever amendments it deems necessary to bring the application into conformity with the Law. In case the applicant does not comply with the requirements of the Patent Office as authorized by the Registrar of patents, the Registrar will reject the application.

The Law allows for the protection of chemical products relating to medical drugs, pharmaceutical compositions or food.

An applicant is entitled to appeal against the requirements and conditions of the Patent Office by means



of submitting a petition to the High Court of Justice, within one month as from the date of the Registrar's decision. Approved applications are published in the Official Gazette and are rendered open to public inspection. Any party may oppose the grant of a patent within three months as from the date of publication. The opposition notice is submitted to the Registrar of patents. If no opposition against the grant of a patent is filed, the letters patent is granted after payment of the prescribed fees.

A patent under the Law is valid for twenty years from the date of filing the application or from the priority date in case of claiming priority. The application is subject to payment of the prescribed annuity fees due, after issuance of letters patent, from the date of filing in Jordan or the convention filing date in the case of priority applications. A grace period of six months, from the due date, is granted to the owners of registered patents to pay the due fees. If this is the case, the official fees have to be paid in double.

The right to a patent may be assigned, transferred through succession or license. The assignment of granted patents must be made in writing. An assignment will have no effect against third parties unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents is an official requirement. In case the owner of a patented invention in Jordan fails to satisfy the stipulated working requirements of the country within three years, as from the date of grant, the patent will be subject to compulsory licensing under the provisions of the Law. Alternatively, nominal working of a patent can be fulfilled by publishing a notice in a daily newspaper every 2 years, inviting interested parties to exploit the concerned patent.

The rights conferred by a patent on the registered patentee expire on the lapse of the protection period as prescribed by the Law, lawful assignment of the patent rights, final court decision to this effect, or nonpayment of annuity fees within six months after the respective due date.

Infringement of the rights of a patentee is penalized under the provisions of the current Patent Law in Jordan.

## Requirements Patent Applications

1. A power of attorney legalized and notarized up to the Jordanian Consulate. (Applications can

be filed with a copy of the notarized power of attorney provided that the legalized original will follow within 60 days as from the filing date).

2. A certified copy of the certificate of registration of the company or articles of association for a corporate person.
3. Affidavit (patent application form No. 4) duly notarized and legalized. This form should be jointly signed by the inventor(s) and the patentee in case the later is not the inventor(s). If this is the case, said form will serve also as a deed of assignment.
4. Three copies of the specifications and claims in English and in Arabic.
5. Three sets of the formal drawings, if any.
6. A certified copy of the home application or registration or a certified priority document, if priority is to be claimed. (The patent number and first filing date have to be available upon filing and the original documents must be submitted within 60 days).
7. For publication: A brief description of the invention and the new claims whose protection is sought in about (200) words for the purpose of publication in the Official Gazette. The said brief description should be independent from the application; and it should comprise the following:
  - a. The name of the inventor and the applicant if the applicant is not the inventor and the addresses of both of them.
  - b. A summary of the specifications of the invention, the claims whose protection is sought and any illustrative drawing associated with it. The said summary must indicate the technical or scientific field of the invention and give a clear idea of the technical problem, the essence of its solution and the main uses of the invention.
  - c. The chemical formula that best distinguishes the invention compared with the other formulas listed in the application, if needed, and if the invention is a chemical one.
  - d. The best suited illustrative drawing among those presented by the applicant (if applicable).

### Notes:

1. Applications for patents can be filed with a faxed copy of the power of attorney and the affidavit showing notarization provided that the rest of the documents are to be submitted within 60 days from the filing date.
2. Universal Novelty is stipulated.
3. Annuities are paid annually after 12 months from the date of filing in Jordan or the convention filing date in the case of priority applications, as per the Law.

## Annuity

A power of attorney notarized and legalized up to the Jordanian Consulate in the new name.

## Recording Change of Applicant's Name and Address

1. A power of attorney notarized and legalized up to the Jordanian Consulate in the new name.
2. A certificate of change of name and address or an extract from the home registry notarized and legalized up to the Jordanian Consulate.

## Recording an Assignment

1. A power of attorney signed by the assignee, notarized and legalized up to the Jordanian Consulate.
2. An assignment deed signed by both assignor and assignee, notarized and legalized up to the Jordanian Consulate.
3. Name, address, nationality, and profession or nature of business of the assignee.

## Recording a License

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. License agreement document notarized and legalized up to the Jordanian Consulate.

## Recording a Merger

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Merger document notarized and legalized up to the Jordanian Consulate.

## Change of Name

A power of attorney notarized and legalized up to the Jordanian Consulate in the new name.

## Change of Address

A power of attorney notarized and legalized up to the Jordanian Consulate with the new address.

## Summary of the Design & Industrial Models Registration System

Jordan is a member to the Paris Convention for the Protection of Industrial Property. 'Locarno' Classification for Designs (32 Classes) is implemented in

Jordan, although Jordan is not a party to the Locarno Agreement. Designs are protectable in Jordan through registration with the Patent Office.

Once a design application is filed, the registrar shall examine the application in form. Design applications accepted by the Registrar shall be published in the Official Gazette. There is a three-month period open for filing opposition by any party. In the absence of an opposition, the relevant certificate of registration is issued.

According to the new design law, which became effective in May 2000, no annuities or maintenance fees are to be paid on new design applications; all registration fees are paid in full upon filing the application.

A design registration is valid for fifteen years starting as from the date of filing the application or from the priority date. There is no provision in the current Design Law of Jordan for compulsory working with respect to designs.

Any infringement or unauthorized use of a registered design is punishable under the current Design Law in Jordan.

## Requirements Design Applications

1. A power of attorney notarized and legalized up to the Jordanian Consulate. (Applications can be filed with a copy of the notarized power of attorney provided that the legalized original will follow within 60 days from the filing date).
2. A certified copy of the certificate of registration of the company or articles of association for a corporate person.
3. A deed of assignment supporting the right of the applicant in the design or industrial model, in the event the applicant is not the creator.
4. The article(s) covered by the design and the material used in producing these items.
5. The class(es) in which the design is to be registered.
6. Three sets of specimens or representations of the design.
7. In the case of claiming priority, a copy of the prior application and its supporting documents, along with a certificate indicating the filing date, number and country.
8. An independent abstract, for the purpose of publication in the Official Gazette, describing the novelty of the industrial model or design,

not exceeding two hundred words; provided that such abstract includes:

- The creator's name, the applicant's name
- if the applicant is not the creator - and the addresses thereof;
- A copy of the best of the illustrative figures pertaining to the industrial model or design; and
- The data hereinabove mentioned, in Points 2 & 3.

*Kindly note the following:*

*The documents hereinabove mentioned, in Points (5), (6), (7) and (9), shall be attached to the application for registration. The other documents may, if not attached to such application, be submitted within sixty days starting from the date of submitting the application. If the applicant failed to submit such documents, within the above-prescribed period, the application may be considered abandoned; with the exception of the documents mentioned above in Point (8). As documents in Point (8) are to be submitted when priority right is claimed, failure to submit them within the above-prescribed period will result in a lapse of the right to claim priority.*

### **Change of Applicant's Name and Address**

1. A power of attorney notarized and legalized up to the Jordanian Consulate in the new name.
2. A certificate of change of name and address or an extract from the home registry notarized and legalized up to Jordanian Consulate.

### **Assignment**

1. A power of attorney signed by the assignee, notarized and legalized up to the Jordanian Consulate.
2. An assignment deed signed by both assignor and assignee, notarized and legalized up to the Jordanian Consulate.
3. Name, address, nationality, and profession or nature of business of the assignee.

### **License**

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. License agreement document notarized and legalized up to the Jordanian Consulate.
3. Design registration number.

### **Merger**

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Merger document notarized and legalized up to the Jordanian Consulate.

### **Change of Name Only**

1. A power of attorney notarized and legalized up to the Jordanian Consulate in the new name.
2. A certified and legalized copy of the change of name certificate issued by the home registry.

### **Change of Address Only**

A power of attorney notarized and legalized up to the Jordanian Consulate.

## **Summary of the Copyright Registration System**

The Copyright Protection Law No. 22 for the year 1992 (and its amendments of 1998 and 1999) governs the protection of copyright in Jordan. As of July 28, 1999, Jordan has become a party to the Berne Convention for the Protection of Literary and Artistic Works.

Protection covers original works of literature, art and science no matter what their type, importance or purpose is. This includes the works of art expressed in writing, sound, drawing, photography and motion, such as books, speeches, plays, musical compositions, films, applied art, 3-D works and computer software.

Jordanian publishers seeking protection of copyrightable works shall have to deposit three copies of the work with the National Library at the Ministry of Culture. The duration of protection is the lifetime of the author plus 50 years following his/her death.

The Ministry of Culture reserves the right to allow publication of the work of art if the copyright holder has not done so, or if his/her heirs do not publish it within six months of being informed to do so in writing. In this case, the Ministry will provide the copyright holder or the heirs with fair compensation.

Infringements are prosecuted before the Civil Court of Jordan.



## Requirements Copyright Applications

(Copyright owners from countries that are party to the Berne Convention do not require registration)  
For written material:

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Four copies of the work.

### For other copyrightable works:

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Two copies of the work.

## Summary of the Domain Name Registration System

The National Information Center (NIC) is the local registry for the Top Level Domain Name: (TLD) .jo in Jordan. The second level domain names available under .jo include:

.com.jo	for commercial purposes
.org.jo	for non-commercial organizations
.net.jo	for networks and Internet Service Providers with a valid license
.edu.jo	for educational institutions
.gov.jo	for government organizations
.mil.jo	for military organizations
.jo	for organizations that opt to register directly under .jo. In this case, the registrant is not allowed to resell third level domain names under the proposed name

1. Domain names may be registered for active or inactive usage (reservation for future use).
2. All domain name registration applications are served on a 'first-come, first-serve' basis. All requests will be processed on an equal basis.
3. Any company registering under .jo may be required to provide a copy of its legal documents (e.g. commercial registration, license, trademark registration, etc...).
4. Domain names are to be renewed at the beginning of each calendar year; no extra official fees for late filing.

## Requirements

1. A completed application form signed by the applicant.
2. A power of Attorney notarized and legalized up to the Jordanian Consulate (Original is required).

### Transfer of Ownership

1. A deed of assignment to be duly completed, signed by both the assignor and the assignee, notarized and legalized up to the Jordanian Consulate. In this form, you should specifically mention the Domain Name (s) that are intended to be assigned.
2. A power of attorney form to be duly completed, signed by the assignee, notarized and legalized up to the Jordanian Consulate.

### Change of Owner's Name

1. A power of attorney form duly completed in the new name, notarized and legalized up to the Jordanian Consulate.
2. A certificate of change of name duly notarized and legalized up to the Jordanian Consulate. OR a notarized and legalized copy of the Commercial Extract indicating the change of name.

### Change of Owner's Address

A power of attorney form duly completed in the new address, notarized and legalized up to the Jordanian Consulate.

# KUWAIT

## Summary of the Trademark Registration System

The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) is followed in Kuwait, but it has not yet adopted the 8th Edition of it. The Trademark Law does not provide for the protection of trademarks covering alcoholic drinks in classes 32 and 33 and pork meat in class 29. Class No. 33 has been completely dropped and international class 34 has been reinstated for tobacco products. A separate application should be filed with respect to each class of goods and services.

Once a trademark application is filed, the trademark is examined as to its registrability. In case the Registrar rejects a trademark, the applicant may file an appeal in court within 30 days as of the date of the official notification. Trademark applications accepted by the Registrar are published in three consecutive issues of the Official Gazette of Kuwait (Al-Kuwait Al-Youm). There is a period open for filing opposition by any interested party. The statement of opposition to the registration of a trademark should be submitted to the Registrar within the prescribed term of thirty days, as from the date of the last (third) publication of the relevant notice in the Official Gazette.

An opposition statement requires a counter statement to be filed within 30 days by the applicant in order to maintain the trademark application in force. All opposed trademark applications remain pending with the Registrar until he takes a decision or a court decision is issued in favor of either party or an amicable settlement is reached by the parties concerned. In the absence of opposition, the relative certificate of registration will be issued.

A trademark registration is valid for 10 years as from the date of filing the application, renewable for similar periods of ten years each upon submitting an application for renewal during the last year of the protection period of the trademark.

The Trademark Law provides for a six-month grace period for late renewal of a trademark registration

## Kuwait Office

**Premises:** Souk Al-Kabir Bldg, 9th floor, East Wing, Fahed Al-Salem Street, Kuwait  
**P.O. Box:** 4729, 13048 Safat, State of Kuwait  
**Tel:** (965) 243 3004  
**Fax:** (965) 244 0111  
**Email:** agip.kuwait@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Gamal Lotfy

subject to payment of a lateness fine. A trademark, which lapses, may be re-registered in the name of a third party at any time.

The assignment of a trademark can be recorded once the trademark is registered. In fact, unless an assignment has been entered against the trademark in the register, the assignment shall not be effective vis-à-vis third parties. Recordal particulars are endorsed on the certificate without publishing it in the Official Gazette. In pursuance to an amendment in 1999 to article 82, it is now possible to assign a trademark with or without the goodwill of the concerned business. Changes in the name or address of a registrant, amendment of a trademark and limitation of goods covered by a registration can be recorded as well. However, recording of licenses or registered users is not applicable in Kuwait.

Use of trademarks in Kuwait is not a prerequisite for filing applications for registration or for maintaining trademark registrations in force. However, a trademark registration is vulnerable to cancellation by any party who can convince the court that the trademark was not actually used in a serious manner for five consecutive years, or that there was no bona fide of using the trademark on the goods in respect of which the trademark was registered.

Unauthorized use of a trademark registered under the law or an imitation of such a trademark applied on goods of the same class, or sale, storing for the purpose of sale, or exhibiting for sale of goods, bearing a counterfeit mark by another person to serve the purpose of unauthorized promotion of goods of the same class, are offenses punishable under the law in Kuwait.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Consulting & Intellectual Property  
P O Box 4729 - 13048 Safat - Kuwait

### Trademark/Service Mark Applications

1. A power of attorney legalized up to the Consulate of Kuwait.
2. A legalized copy of the home registration certificate of the trademark showing clearly the validity term of the registration and the goods and/or services desired to be registered. In the absence of a home registration, a legalized copy of any foreign registration of the trademark can be used along with a certificate proving that the trademark is not registered in the home country. The latter document, which should also be legalized up to the Kuwaiti Consulate, can be in any one of the following forms (Documents in other than English or Arabic should be accompanied with a sworn English translation):
  - a. A certified copy of the trademark application in the home country.
  - b. An official search report showing that the trademark is not registered in the home country. A letter from the Registrar of Trademarks in the home country addressed to the Registrar of Trademarks in Kuwait to this effect will serve the purpose.
  - c. A declaration executed by an officer of the applicant company, sworn before a notary public, and stating that the applicant company has no registration of the trademark in the home country.
3. Twelve prints of the trademark for each class (preferably not exceeding 5x5 centimeters each). Additional publication charges are to be paid for a large size print. The prints can be prepared locally upon request. The prints should be in exact conformity with the form of the mark shown on the basic certificate of registration.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney notarized and legalized up to the Consulate of Kuwait.
2. The original Kuwaiti registration certificate of the trademark for endorsement purposes.

### Assignment Applications

1. A power of attorney executed by the assignee legalized up to the Kuwaiti Consulate.
2. A deed of assignment proving the assignment and signed by both parties legalized up to the Kuwaiti Consulate.

3. The original Kuwaiti certificate of registration of the trademark for endorsement purposes.

### Change of Name/Address Applications

1. A power of attorney executed in the new name and/or address legalized up to the Kuwaiti Consulate.
2. An official certificate proving the change of name and/or address legalized up to the Kuwaiti consulate.
3. The original Kuwaiti certificate of registration of the trademark for endorsement purposes.

### Merger Applications

1. A power of attorney duly legalized up to the Kuwaiti Consulate.
2. A merger document legalized up to the Kuwaiti Consulate.

### Summary of the Patent Registration System

The provisions of Law No. 4 of 1962 and its amendment of 1999 allows for the registration of patents in Kuwait. The validity of a patent of invention is twenty years as from the date of filing the application.

Currently, once an application is filed for the grant of a patent registration, the Kuwaiti Patent Registrar takes no further action. The Kuwaiti Patent Office has not yet started the process of examining, publishing and granting of patents. All patents filed with the Kuwaiti Patent Office are practically in the application stage, but are officially protected for 20 years as from the date of filing.

Until the Kuwaiti Patent Office changes the present practice, all filed patent applications shall remain as documentary evidence of ownership and priority claim even in the absence of examination and issuance of certificates by the Patent Office. The usual actions of opposition, renewal, payment of annuities, working, and so forth (with the exception of the assignment of applications), are not currently applicable in Kuwait.

In pursuance to a 1999 amendment to Patent Law, patents for utility models will be granted to those applications which include a new technical solution in shape or formulation for equipment, means, tools, parts thereof or others which are used in commercial applications. An applicant may transform his patent application for utility models into a patent application for invention if the conditions are fulfilled, and

vice-versa. In both cases, the filing date of the original application shall be taken into consideration. The term of protection of a utility model is 7 years starting from the date of submitting the application. It is not possible to renew the term of protection.

The Patent Office shall publish utility model applications within 6 months from the date of submitting the application.

Kuwait is party to the Gulf Cooperation Council (GCC) Patent Office, which provides effective protection to patents.

## Requirements Patent Applications

1. A power of attorney legalized up to the Consulate of Kuwait.
2. An extract of the entry of the applicant in the commercial register or an official copy of the memorandum or articles of association, if the applicant is a company or a body corporate legalized up to the Kuwaiti Consulate.
3. The title of the invention.
4. A summary description of the invention.
5. The number and date of the corresponding foreign patent.
6. The name, address, nationality and occupation of the applicant(s) and inventor(s).
7. Two copies of the specifications of the invention together with the Arabic translation.
8. Two sets of the formal drawings bearing Arabic reference numerals and prepared on Bristol boards.
9. An assignment document from the inventor to the applicant legalized up to the Kuwaiti Consulate.

## Assignment Applications

1. A power of attorney executed by the assignee legalized up to the Kuwaiti Consulate.
2. A deed of assignment proving the assignment and signed by both parties legalized up to the Kuwaiti Consulate.
3. The original Kuwaiti certificate of registration of the trademark for endorsement purposes.

## Change of Name/Address Applications

1. A power of attorney executed in the new name and/or address legalized up to the Kuwaiti Consulate.
2. A certificate proving the change of name and/or address legalized up to the Kuwaiti Consulate.

## Merger Applications

1. A power of attorney legalized up to the Kuwaiti Consulate
2. A merger document legalized up to the Kuwaiti Consulate.

## Summary of the Design & Industrial Models Registration System

The provisions of Law No. 4 of 1962 and its amendment of 1999 allows for the registration of industrial models in Kuwait.

Currently, once an application is filed for the grant of an industrial model registration, the Kuwaiti Patent Registrar takes no further action. The Kuwaiti Patent Office has not yet started the process of examining, publishing and granting of patents and designs. All designs filed with the Kuwaiti Patent Office are practically in the application stage, although the relevant designs are protected currently for 10 years as from the date of filing.

Until the Kuwaiti Patent Office changes the present practice, all filed design applications shall remain as documentary evidence of ownership and priority claim even in the absence of examination and issuance of certificates by the Patent Office. The usual actions of opposition, renewal, payment of annuities, working, and so forth (with the exception of the assignment of applications), are not currently applicable in Kuwait.

## Requirements Design Applications

1. A power of attorney legalized up to the Consulate of Kuwait.
2. An extract of the entry of the applicant in the commercial register or an official copy of the memorandum or articles of association, if the applicant is a company or a body corporate legalized up to the Kuwaiti Consulate.
3. The name, address, nationality and occupation of the applicant.
4. Two representations of each design or model showing the various views. The figure of the design or model should be placed in an upright position on the sheet. When more than one figure of the design or model are shown, these should be on the same sheet, each designated as "perspective view", "front view", "side view" or as the case may be.

### Assignment Applications

1. A power of attorney executed by the assignee legalized up to the Kuwaiti Consulate.
2. The original Kuwaiti certificate of registration of the trademark for endorsement purposes.
3. A deed of assignment proving the assignment and signed by both parties legalized up to the Kuwaiti Consulate.

### Change of Name/Address Applications

1. A power of attorney executed by the assignee legalized up to the Kuwaiti Consulate.
2. The original Kuwaiti certificate of registration of the trademark for endorsement purposes.
3. A deed of assignment proving the assignment and signed by both parties legalized up to the Kuwaiti Consulate.

### Merger Applications

1. A power of attorney legalized up to the Kuwaiti Consulate.
2. A merger document legalized up to the Kuwaiti Consulate.

### Summary of the Copyright Registration System

Copyright registration is administered by the Kuwait National Library which has prescribed forms for different types of copyrights. This form should be filled and submitted to the Library with the material to be registered. A filing number will be given upon such filing. Within two months from the date of submitting the application and material, the Library will issue a depository Number. No filing fees are charged.

### Summary of the Domain Name Registration System

The Kuwait Institute for Scientific Research (KISR) is the local registry for the Top Level Domain (TLD) .kw in Kuwait. The registration is available to individuals and organizations as shown below:

- .com.kw / .net.kw

for individuals and organizations with commercial activities

- .org.kw

for non-for-profit organizations and public utilities

- .edu.kw

for educational/research organizations

- .gov.kw

for governmental entities

All domain name registration applications are served on a "first-come, first-serve" basis. All requests will be processed on an equal basis.

*Note: Domain names cannot be registered in the name of foreign company. Local representation is compulsory. For registering a domain name of a foreign company in the name of our company, we require an official letter from the client in their company letterhead requesting us to register the domain name in our name on their behalf.*

### Requirements

A completed Registration Form shall accompany all applications. All documentation must be clear & legible.

A) .com.kw / .net.kw

- Individuals:

- 1) A copy of the applicant's civil id.

- Companies:

- 1) A copy of the applicant's civil id.
- 2) An official signed and sealed company letter from the company manager requesting the domain name operation.
- 3) A valid certificate from Ministry of Commerce with a clear expiry date. (This paper is needed for new registration and renewal operations)

B) .org.kw

- 1) A copy of the applicant's civil id.
- 2) An official signed and sealed letter from the site manager requesting the domain name registration.
- 3) A letter from the Ministry of Social Affairs stating that the organization is a nonprofit one.

C) .edu.kw

- 1) A copy of the applicant's civil id.
- 2) An official signed and sealed letter from the organization manager requesting the domain



name operation.

- 3) A letter from the Ministry of Education proving that the applicant site is registered as an institution for beginners, intermediate, high school, college, etc.

#### D) .gov.kw

- 1) An official signed and sealed letter requesting the domain name operation.
- 2) Letter must originate from one of these offices:
  - Ministers office
  - Deputy ministers office
  - Public relations office
  - Computer support / network support department/ information system department.

#### Documents Required by KISR for Domain Name Modification

Modification means that the customer wishes to modify one or more of the following current DNS information:

- The name server/s on which his domain is hosted.
- Service Provider information.
- Technical/ Administrative Contact information.
- Domain ownership.

A completed Registration Form should accompany all applications. All documentation should be clear & legible.

#### Documents Required by KISR for Modification Will Include:

An official signed and sealed letter from the organization manager requesting the modification, which includes information relevant to the modification.

No charge is levied by KISR for modification of an active domain.

#### Renewals of Domain Names by KISR

Domain Names registered with KISR have a validity of 2 years. It can be renewed for a new period of 2 years. The charges for renewal of an existing domain are the same as that of a new registration.

#### Time Required by KISR for any Registration/Modification

KISR will require at least 3 working days between Saturday to Wednesday to process the application.

Once the domain has been registered by KISR, at least 24 hours is needed for the propagation of the new domain information to all other name services.

In effect, a week's time is required from the receipt of documents by KISR for the domain registration process to be effective.

# LEBANON

## Summary of the Trademark Registration System

Lebanon is a member in the Paris Convention for the Protection of Industrial Property. The nature of the Lebanese registration system is a deposit system. An application can include goods and/or services in any number of classes, but a separate sum of official fees is to be paid for each class.

The 8th Edition of Nice Classification of Goods and Services for the Purposes of the Registration of Marks is followed in Lebanon. One power of attorney, which must be filed with the application, can be used for filing several trademark applications.

As per the Paris Convention, any person who has duly filed an application for the registration of a trademark, in one country of the Paris Union established by the Convention, shall enjoy for the purpose of filing in Lebanon, a right of priority during a period of six months. In case of claiming a priority right, late filing of the power of attorney and the priority document is possible within three months from the registration date.

Once a trademark application is filed, it is examined as to whether it is contrary to the public order and morals or representing national or foreign decorations. Also, it is examined as to its registrability and existence of prior rights. If similar or identical trademark registrations exist under the same class, a Notice of Similarity has to be signed on behalf of the client as an acknowledgement of taking note of the existence of these conflicting registrations. When the trademark is accepted, the registrar waits for the decision of the Israeli Boycott Department to check whether the applicant is on the boycott list or not. A trademark is deemed registered upon payment of the filing fees. There is no provision for opposition.

Under normal circumstances, the registration of a trademark is completed within a two-week period;

## Lebanon Office

**Premises:** Halabi Building, 1st floor, Sanaeh, Beirut  
**P.O. Box:** 11-7381 Beirut, Lebanon  
**Tel:** (961-1) 75 32 22  
**Fax:** (961-1) 350 548  
**Email:** agip.lebanon@tagi.com  
**Website:** www.agip.com  
**Contact** Mr. Nemer Shibly

while the relevant registration certificate is issued within two weeks of the registration date.

A trademark registration is valid for 15 years as from the registration date and renewable for indefinite similar periods. Filing a late renewal application is possible through a grace period of 3 months from the date of expiration.

In order to be effective against third parties, the change of ownership of a trademark registration through an assignment or merger transaction should be recorded in the trademark register at the Lebanese IP Protection Office. The assignment of a trademark is possible with or without the goodwill of the business concern. The recordal of assignment/merger must be made within a period of three months from the date of assignment/merger; otherwise, a late fine will be due against each trademark every two months delay after the three months grace period for recording the related assignment/merger.

In Lebanon, the use of a trademark is not compulsory for filing applications, maintaining trademark registration in force, or for renewal or maintenance of a trademark. Prior use constitutes the main criteria in determining proprietorship of a trademark, and is never considered as a pre-requisite for registration, or even a requirement to maintain that registration valid and enforced in the future.

A trademark registration is cancelled only through a court action filed by a prior user, requesting such cancellation.

Unauthorized use of a registered trademark, an imitation of a trademark applied on goods of the same class, sale, storing for the purpose of sale, exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly by another party in order to serve the purpose of unauthorized promotion of goods of the same class are all offenses punishable under the law.

## **Filing Requirements Signatory**

Please note that all Powers of Attorney should be completed in the name of the following signatory:  
Abu-Ghazaleh Intellectual Property Ltd. - TMP Agents  
PO Box 11-7381, Beirut, Lebanon

## **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. A certified copy of the home certificate of registration or an application is required only for claiming convention priority, which can belatedly be filed within three months of the filing date.
3. The name, address and nationality of the applicant and the nature of its business.
4. The list of the goods to be covered by the application.
5. Ten prints of the trademark.

## **Collective Mark Applications**

1. A simply signed power of attorney.
2. A certified copy of the home certificate of registration or an application is required only for claiming convention priority, which can belatedly be filed within three months of the filing date.
3. The name, address and nationality of the applicant and the nature of its business.
4. The list of the goods to be covered by the application.
5. Ten prints of the trademark.

## **Renewal of Trademark/Service Mark Registrations**

1. A simply signed power of attorney.
2. The number and date of the trademark.

## **Assignment Applications**

1. A simply signed power of attorney.
2. A deed of assignment legalized up to the Lebanese Consulate.
3. The number and date of the trademark concerned.
4. The name, nationality, address and business of the assignee.

## **Change of Name Applications**

1. A simply signed power of attorney.
2. A certified copy of the change of name certificate

issued by the home registry or notarized attestation legalized up to the Lebanese Consulate.

3. The number and date of the trademark concerned.

## **Change of Address Applications**

1. A simply signed power of attorney.
2. Notarized attestation legalized up to the Lebanese Consulate.
3. The number and date of the trademark concerned.

## **License Applications**

1. A simply signed power of attorney.
2. A license agreement or a declaration legalized up to the Lebanese Consulate.
3. The name, nationality and address of the licensee.
4. The number and date of the trademark concerned.

## **Agency Agreements**

1. A power of attorney legalized up to the Lebanese Consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Lebanese Consulate.

## **Cancellation Applications**

1. A specified power of attorney legalized up to the Lebanese Consulate.
2. The name, nationality and address of the applicant.
3. The number and date of the trademark concerned.

## **Summary of the Patent Registration System**

Lebanon is a member in the Paris Convention for the Protection of Industrial Property. The nature of the Lebanese registration system is a deposit system. There is no examination for patent applications. The specification of the patent can be filed in Arabic, French or English. One power of attorney, which must be filed with the application, can be used for filing several patent applications.

As per the Paris Convention, any person who has duly filed an application for the registration of a patent, in one country of the Paris Union established by

the Convention, shall enjoy for the purpose of filing in Lebanon, a right of priority during a period of twelve months. In case of claiming a priority right, late filing of the power of attorney and the priority document is possible within three months from the acceptance date.

There is no provision for opposing the registration of a patent. Patents are granted for 20 years from the acceptance date (grant date). An annuity fee is payable on the anniversary of the acceptance date. There is a six-month grace period for late renewal of a patent.

Under normal circumstances, the registration of a patent is completed within a period of two weeks; while the relevant patent certificate is issued within two weeks of the registration date.

Every person, subject to public or private laws, is entitled after three years from the date of the patent grant, to present an official request for a compulsory license to exploit the invention in Lebanon, according to the conditions hereinafter stated, if the patent owner or his successors did not exploit the patent or actually and practically prepare to exploit the invention being the subject of the patent in the Lebanese territory.

Compulsory license may also be requested if the patent owner or his successors started the exploitation, then seized to do so for a period not less than three years for no legitimate reason.

## Requirements Patent Applications

1. A simply signed power of attorney.
2. The name, address, nationality and occupation of the applicant(s) and inventor(s).
3. Three copies of the specifications and claims in any major language (especially English, French or Arabic), and three sets of the formal drawings, divided as follows: - title of invention - summary of the invention - full description of the invention (detailing the methods to execute the invention and its industrial application, preferably with examples, statistics, etc.) - claims - drawings & brief description of the drawings - a list of all enclosed documents.
4. A certified copy of the home certificate of registration or application is required only for claiming convention priority, which can belatedly be filed within three months of the filing date.

## Assignment Applications

1. A simply signed power of attorney.
2. A deed of assignment legalized up to the Lebanese Consulate.
3. The name, nationality, address and business of the assignee.
4. The number and date of the patent concerned.

## Change of Name Applications

1. A simply signed power of attorney.
2. A certified copy of the change of name certificate issued by the home registry or notarized attestation legalized up to the Lebanese Consulate.
3. The number and date of the patent concerned.

## Change of Address Applications

1. A simply signed power of attorney.
2. Notarized attestation legalized up to the Lebanese Consulate.
3. The number and date of the patent concerned.

## Cancellation Applications

1. A specified power of attorney legalized up to the Lebanese Consulate.
2. The name, nationality and address of the applicant.
3. The number and date of the patent concerned.

## Agency Agreements

1. A power of attorney legalized up to the Lebanese Consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Lebanese Consulate.

## Summary of the Design & Industrial Models Registration System

Lebanon is a member in the Paris Convention for the Protection of Industrial Property. The nature of the Lebanese registration system is a deposit system. One power of attorney, which must be filed with the application, can be used for filing several design applications.

An industrial model is registrable for an initial term of 25 years starting from the registration date. The duration of a registration is extendible only once for a term of 25 years. A design should be distinguishable from those previously known. Advertising a design prior to filing the application, even by way of sale of the relevant

products, does not preclude registration.

Under normal circumstances, the registration of a design is completed within a period of two weeks; while the relevant registration certificate is issued within two weeks of the registration date.

There is no provision for opposing the registration of a design or an industrial model. The depositor or the applicant shall have the right to ask for advertising all the things he filed or just a part thereof at the time of filing without paying an additional fee. He shall reserve this right during the first five years following the filing, but in this case the request for advertising shall necessitate the payment of a fee. As long as the depositor has not asked for advertising the things he filed, the secrecy of the filing shall be fully maintained.

## Requirements Design Applications

1. A simply signed power of attorney.
2. A description of the design in triplicate.
3. The name, address, and nationality of the applicant.
4. Three sets of the drawings using the metric system.
5. If convention priority is to be claimed, a certified copy of the home application must be submitted within three months of the filing date.

## Assignment Applications

1. A simply signed power of attorney.
2. A deed of assignment legalized up to the Lebanese Consulate.
3. The name, nationality, address and business of the assignee.
4. The number and date of the design concerned.

## Change of Name Applications

1. A simply signed power of attorney.
2. A certified copy of the change of name certificate issued by the home registry or legalized attestation legalized up to the Lebanese Consulate.
3. The number and date of the design concerned.

## Change of Address Applications

1. A simply signed power of attorney.
2. Notarized attestation legalized up to the Lebanese Consulate.
3. The number and date of the design concerned.

## License Applications

1. A simply signed power of attorney.
2. A license agreement or a declaration legalized up to the Lebanese Consulate.
3. The name, nationality and address of the licensee.
4. The number and date of the design concerned.

## Cancellation Applications

1. A specified power of attorney legalized up to the Lebanese Consulate.
2. The name, nationality and address of the applicant.
3. The number and date of the design concerned.

## Summary of the Copyright Registration System

Lebanon is a member in the Berne Convention for the Protection of Literary and Artistic Works. One power of attorney, which must be filed with the application, can be used for filing several copyright applications.

Under normal circumstances, the registration of a copyright is completed within a period of two weeks; while the relevant registration certificate is issued within two weeks of the registration date.

The protection of this law shall apply to every production of the human spirit be it written, pictorial, sculptural, manuscript or oral, regardless of its value, importance or purpose and the mode or form of its expression.

A created work is considered protected by copyright as soon as it exists. According to the Berne Convention, literary and artistic works are protected without any formalities in the countries party to that Convention. However, registration of a copyright is recommended in Lebanon as it can serve as prima facie evidence in a court of law with reference to disputes relating to copyright.

Protection is available to nationals and foreigners for the lifetime of the author and for a period of 50 years after his death. Should the work be published in the name of a company, the duration of the protection shall be fifty years from the date of publication of the work.

Infringements are prosecuted before the civil court



of Lebanon and infringers will be penalized by a fine or imprisonment.

## Requirements

### Copyright Applications

1. A simply signed power of attorney.
2. If the applicant is not the author, a certified copy of the deed of assignment is required.
3. Three copies of the work.

## Summary of the Domain Name Registration System

The Lebanese Domain Registry in the American University of Beirut (LBDR) is the local registry for the Top Level Domain Name: (TLD) .lb in Lebanon. Since 1999, the second level domain name, available under .lb, includes:

edu.lb	for academic or vocational institutions
org.lb	for Lebanese not-for-profit organizations
net.lb	for Internet Service providers (ISPs)
gov.lb	for Lebanese government entities, Ministries, Municipalities, etc
com.lb	for commercial purposes

All domain name registration applications are served on a "first-come, first-serve" basis. All requests will be processed on an equal basis. The Lebanese Domain Registry (LBDR) is a close country registry applying the following rules:

R01.To register a domain name under the Lebanese Domain Registry LB-DOM, it is mandatory to trademark the exact domain name that the applicant is requesting at the Lebanese Ministry of Commerce & Trade. The Lebanese official requesting entity should be the owner of the trademark.

The trademark certificate should reflect the exact domain name in Latin characters and specify the Internet advertising and use class 35. i.e. for and XYZ.com.lb You should trademark "XYZ". The trademark certificate should clearly show ownership by the Lebanese commercial entity.

R02.The registry is unique at the gTLD level as it might be converted to a non gTLD structure. i.e. name.lb (By unique at the gTLD level we mean that if domain.com.lb is registered then domain.xxx.lb is reserved and cannot be used).

R03.To register under net.lb, in addition to R01 and R02, the applicant needs to provide a copy of the Lebanese commercial registration documents and a copy of the Lebanese ISP license certificate or Internet leased line license issued by the Lebanese Ministry of Post and Telecommunication

R04.To register under org.lb, in addition to R01, the applicant needs to provide a copy of the Lebanese not-for-profit organization license document or supporting document to prove that the requesting international organization has an official operation in Lebanon issued by the Lebanese Ministry of Interior Affairs.

R05.To register under gov.lb, in addition to R01, the applicant needs to be a Lebanese government entity, ministry, municipality, etc. The highest official in that entity should sign the domain delegation request.

R06.To register under edu.lb, in addition to R01, the applicant needs to be an academic or vocational institution and provide a copy of his license issued by the Lebanese Ministry of Education.

R07.To register under com.lb, in addition to R01, the applicant should provide a copy of his Lebanese commercial registration documents.

R08.In all cases the domain allocation is tagged by the following LBDR General Disclaimer: Domain allocation will be cancelled without prior notice if the selected domain name is trademarked in Lebanon to another party, and if the Lebanese Supreme Court of Commerce rules that the domain name should be cancelled or re-allocated to another party.

## Requirements

1. A letter (submitted by mail or fax on an official letterhead) requesting the domain name registration.
2. A copy of the Lebanese trademark registration certificate in class 35.
3. A simply signed Power of Attorney stamped by the applicant company (original by mail).

# LIBYA

## Libya Office

Please contact our Regional Office

**Premises:** TAGI Campus, Queen Noor Street, Shmeisani  
**P.O. Box:** 921100 Amman 11192, Jordan  
**Tel:** (962-6) 5100 900  
**Fax:** (962-6) 5100 901  
**Alternative fax through Canada:** (1-514) 904 0288  
**Email:** [agip.libya@tagi.com](mailto:agip.libya@tagi.com)  
**Website:** [www.agip.com](http://www.agip.com)

## Summary of the Trademark Registration System

The Libyan Trademark Office has recently resumed its full activities and started receiving applications for trademark registrations, as well as examination and publication of trademark applications.

The office implemented a new effective trademark registration system. It considered all trademark applications filed in Libya prior to August 2002 as invalid. Accordingly, fresh applications should be filed in order to ensure legal protection for the applications filed prior to August 2002.

Libya is a member to the Paris Convention for the Protection of Industrial Property (Act of Stockholm of 1967). The International Classification of Goods and Services for the Purposes of the Registration of Marks is followed in Libya. The Trademark Law does not provide for the protection of trademarks covering alcoholic drinks in classes 32 and 33 and pork meat in class 29. Service marks can be registered according to the Eighth Edition of the International Classification under the Nice Agreement.

Once a trademark application is filed, it is examined as to its registrability. Should the mark lack any requirement as provided for in the Law and its Implementing Regulations, the application will be rejected by the examiner. The applicant may appeal the rejection of its application to a commission appointed for that purpose within thirty days as from the date of receiving the relevant official notification.

Trademark applications approved by the Registrar are published in the Official Gazette. There is a three-month period from the date of publication during which any interested party may file an opposition

notice. An opposition to the registration of a published trademark should be prosecuted before the Registrar by either a patent attorney or a lawyer. If not settled by the Registrar, or if either party objects to the decision issued by the Registrar, the opposition case is referred to the competent tribunal. In the absence of opposition, a published trademark is registered, and the relative certificate is issued.

A trademark registration is valid for ten years from the date of filing the trademark application renewable for periods of ten years each upon application, and payment of the prescribed renewal fees. A grace period of three months is allowed for late renewal of the registration of a trademark with the payment of a lateness fine.

The assignment of a trademark should be recorded. Unless it is published in the Official Gazette and entered in the records of the Trademark Office, an assignment shall not be effective vis-à-vis third parties. The assignment of a trademark must be accompanied with the goodwill of the business concern. Changes in the name and/or address of a registrant must be recorded.

Use of trademarks in Libya is not compulsory for filing applications neither for registration nor for maintaining trademark registrations in force. However, a trademark registration is vulnerable to cancellation on the strength of a court decision obtained to this effect by any interested party. A cancellation action relies basically on establishing sufficient grounds that the trademark in question has not been effectively used for a period of five consecutive years.

The verification of such nonuse shall lead to the cancellation of a trademark registration unless the owner proves that nonuse of the trademark was for reasonable causes of which the court approves. The Trademark Office or any party concerned is entitled to demand cancella-

tion of any trademark registered in bad faith.

Any infringement or unauthorized use of a registered trademark is punishable under the provisions of the current Trademark Law in Libya.

## Requirements

### Trademark/Service Mark Applications

1. A power of attorney signed, stamped by the applicant company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. An extract of the entry of the applicant company in the Commercial Register legalized up to the Libyan Consulate.
3. A copy of the home certificate or any foreign registration certificate of the trademark, (no need to be legalized or certified).
4. Fifteen prints of the trademark.

#### NOTES:

- Claiming priority is possible in Libya.
- All requirements should be submitted upon filing.
- A separate application is to be filed for each class of goods/services.
- All documents should be translated into Arabic in Libya.
- Filing applications in class 33 for Alcoholic drinks is prohibited in Libya.
- One Power of Attorney can be used for filing any number of applications in the name of the same owner.

### Collective Mark Applications

1. A power of attorney signed, stamped by the applicant company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. An extract of the entry of the applicant company in the Commercial Register legalized up to the Libyan Consulate.
3. A copy of the home certificate or any foreign registration certificate of the trademark, (no need to be legalized or certified).
4. Fifteen prints of the trademark.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney signed, stamped by the applicant company's stamp and legalized up to the Libyan Consulate in the applicant home country.

2. The number and date of registered trademark/service mark.

### Assignment Applications

1. A power of attorney signed, stamped by the assignee company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. An extract of the entry of the applicant company in the Commercial Register legalized up to the Libyan Consulate.
3. A deed of assignment signed, stamped by the assignee company's stamp and legalized up to the Libyan Consulate in the applicant home country.

### Change of Name/Address Applications

1. A power of attorney signed, stamped by the applicant company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. A certificate indicating the change of name or address legalized up to the Libyan Consulate in the applicant home country.

### License Applications

1. A power of attorney signed, stamped by the licensee company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. A license agreement legalized up to the Libyan Consulate in the applicant home country.
3. An extract of the entry of the applicant company in the Commercial Register legalized up to the Libyan Consulate.

## Summary of the Patent Registration System

Once an application for the grant of a patent is filed, it is examined with respect to compliance with the formalities and patentability provided for under the Patent Law in Libya. The Patent Office may require whatever amendments may be necessary to bring the application into conformity with the law. In the event the applicant does not comply with the requirements of the Patent Office within a given grace period of six months, a patent application will be treated as renounced.

An applicant is entitled to appeal the requirements and conditions of the Patent Office by means of submitting a petition to the competent committee within thirty days as from the receipt of the notice served to him by the Patent Office. Approved applications are published in the Official Gazette and are rendered open for public inspection. Any interested party may

oppose the grant of a patent within two months as from the date of publication. The opposition notice is submitted to the competent committee. Should no opposition against the grant of a patent be filed, a decision granting the patent is issued and published in the Official Gazette.

The provisions of the Patent Law stipulate that an application should be filed before the invention has become known through publication or use in Libya. Patent applications are examined closely as to form only.

A patent is valid for fifteen years starting from the date of filing the application. Such validity is subject to payment of the prescribed annual fees. Annuities are to be paid every year as from the date of the grant of the patent. The Law provides for a grace period of six months for late payment of annuities. After the fifteen-year period, a patent can be renewed for further five years provided that the patent is of special importance or if the patentee has not been sufficiently rewarded for his invention. Annuities should be paid until the protection period expires.

The rights to a patent may be assigned or transferred through succession. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents in Libya is an official requirement. In the event that the owner of a patented invention in Libya does not satisfy the stipulated working requirements within three years as from the date of grant, the patent will become null and void. A compulsory license may be granted to governmental bodies in order to use the patent for reasons relating to the public interest or national defense.

The rights conferred by a patent on the registered patentee expire on the elapse of the protection period as prescribed by the law, lawful assignment of the patent rights, final court decision to this effect, or nonpayment of a due annuity within six months after the respective due date. Infringement of the rights of a patentee is punishable under the provisions of the current Patent Law.

## Requirements Patent Applications

1. A power of attorney signed, stamped by the applicant company and legalized up to the Libyan

Consulate in the applicant home country.

2. A copy of the extract of the entry of the applicant company in the commercial register or a copy of the Certificate of Incorporation if the applicant is a company or a corporate body; duly notarized and legalized up to the Libyan Consulate of the applicant home country.
5. A deed of assignment from the inventor(s) if not employed by the applicant duly legalized up to the Libyan Consulate of the applicant home country.
6. The name, nationality, address, and profession or nature of business of the applicant and the inventor(s). As well, a statement, which certifies whether the inventor is working independently or is employed by the applicant in which case an assignment is not necessary, is required.
7. A copy of the specifications and a summary of the invention in English.  
Two copies of the specification and a summary of the invention in Arabic.
8. Four sets of the formal drawings: one set on ordinary paper with all reference numerals and three sets on strong white paper without any reference numerals or letters for inserting Arabic numerals.
9. A certified copy of the priority document for a convention application.

### NOTES:

- All requirements should be submitted upon filing.
- Claiming priority is possible upon submitting the requirements No. 1, 5 & 6.
- All documents need to be translated into Arabic in Libya.

## Assignment Applications

1. A power of attorney signed, stamped by the assignee company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. An extract of the entry of the assignee company in the commercial register or a copy of the Certificate of Incorporation, if the assignee is a company or a body corporate legalized up to the Libyan Consulate in the applicant home country.
3. A deed of assignment signed, stamped by the assignee company's stamp and legalized up to the Libyan Consulate in the applicant home country.

## Change of Name/Address Applications

1. A power of attorney signed, stamped by the applicant company's stamp and legalized up to the Libyan Consulate in the applicant home country.

2. A certificate indicating the change of name or address legalized up to the Libyan Consulate in the applicant home country.

## Summary of the Design & Industrial Models Registration System

Designs and industrial models are protected in Libya through registration with the competent office. The Patent Office examines the application as to relative novelty.

A registration of a design or an industrial model is subject to cancellation in the event any interested party requests such a cancellation before the competent tribunal on the grounds that the registrant is not the real owner of the design.

A design or an industrial model registration is valid for five years starting from the date of filing the application renewable for two similar periods of five years each. Registration, assignment and cancellation of design or industrial model registrations are published in the Official Gazette and entered in the register.

There is no provision in the current Libyan law as to working or compulsory licensing of designs and industrial models.

Any infringement or unauthorized use of a registered design or industrial model is punishable under the current law in Libya

### Requirements Design Applications

1. A power of attorney signed, stamped by the applicant company and legalized up to the Libyan Consulate in the applicant home country.
2. A copy of the extract of the entry of the applicant company in the commercial register or a copy of the Certificate of Incorporation if the applicant is a company or a corporate body; duly notarized and legalized up to the Libyan Consulate of the applicant home country.
3. A deed of assignment from the inventor(s) if not employed by the applicant duly legalized up to the Libyan Consulate of the applicant home country.
4. The name, nationality, address, and profession or nature of business of the applicant and the inventor(s). As well, a statement, which certifies whether the inventor is working independently

or is employed by the applicant in which case an assignment is not necessary, is required.

5. A copy of the specifications and a summary of the invention in English.
6. Two copies of the specification and a summary of the invention in Arabic.
7. Four sets of the formal drawings: one set on ordinary paper with all reference numerals and three sets on strong white paper without any reference numerals or letters for inserting Arabic numerals.
8. A certified copy of the priority document for a convention application.

#### NOTES:

- All requirements should be submitted upon filing.
- Claiming priority is possible upon submitting the requirements No. 1, 5 & 6.
- All documents should be translated into Arabic in Libya.

### Assignment Applications

1. A power of attorney signed, stamped by the assignee company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. An extract of the entry of the assignee company in the commercial register or a copy of the Certificate of Incorporation, if the assignee is a company or a body corporate legalized up to the Libyan consulate in the applicant home country.
3. A deed of assignment signed, stamped by the assignee company's stamp and legalized up to the Libyan Consulate in the applicant home country.

### Change of Name/Address Applications

1. A power of attorney signed, stamped by the applicant company's stamp and legalized up to the Libyan Consulate in the applicant home country.
2. A certificate indicating the change of name or address legalized up to the Libyan Consulate in the applicant home country.

## Summary of the Copyright Registration System

The Libyan Copyright Law No. 7 of 1984, which is based on the Libyan Copyright Law No. 9 of 1968, governs the protection of copyright. Libya is a



member to the Berne Convention for the Protection of Literary and Artistic Works.

In order to gain protection, the material to be copyrighted must be deposited with the Copyright Protection Office at the Ministry of Culture & Information, within one month of its publication in Libya or of the entry of the material provided that the filing is prior to distribution (with a minimum number of 20 editions for distribution).

Protection is granted to original works of literature, art and science regardless of type, importance or purpose. This includes works of art expressed in writing, sounds, drawings, photography and motion pictures; such as, books, writings, speeches, oral works, plays, dramatic works, musical compositions, films and phonographic works. Protection is granted for the lifetime of the author plus 50 years following his/her death. In order for protection to be effective, the work of art has to be original and include personal efforts, invention and new arrangement.

If the copyright holder (or his/her heirs) fails to publish a certain work of art, the Ministry of Culture & Information reserves the right to allow publication of that work. Such publication is possible through obtaining an order from the Civil Court to transfer the right of publication to the Ministry of Culture and Information, while providing the copyright holder or the heirs with fair compensation. Infringements are prosecuted before the Civil Court in Libya.

## Requirements

### Copyright Applications

1. Six copies of the copyright work.
2. If the applicant is not the author, a certified copy of the deed of assignment or a distributorship agreement is required.
3. The name, business, nationality and address of the author.
4. A power of attorney signed, stamped by the applicant company and legalized up to the Libyan Consulate in the applicant home country.

## Summary of the Domain Name Registration System

Libya does not currently have a national board, but registration is being handled by an intermediary. It is expected within the coming months registration will become local. Presently the ISP has no legal obligation to screen domain name registrations and operates on a "first-come, first-serve" basis.

# MOROCCO

## Morocco Office

**Premises:** ESPACE PORTE DANFA, No. 3 Rue Bab Mansour  
Casablanca 20050, Kingdom of Morocco

**P.O. Box:** 19005 Casa El Hank

**Tel:** 00- 212-22-36-61-19/21/28

**Fax:** 00- 212-22-36-61-33

**Email:** agip.morocco@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Khaled Battash

## Summary of the Trademark Registration System

The new unified law No. 17-97, which entered into force December 18, 2004, covers the whole Moroccan territory (both Tangier and Casablanca zones). Consequently, there will be no need to file separate applications in both zones, as one application will be sufficient to cover both.

Morocco is a party to the Madrid Agreement Concerning the International Registration of Marks and a member to the Paris Convention for the Protection of Industrial Property. The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) is followed in Morocco and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002.

Once a trademark application is filed, it will be examined as to the form only. If found in order, a certificate of registration will be issued instantly. A three-month period is given to the applicant or his representative to file missing documents. Trademarks registered during the preceding year are published in a yearly special supplement of the Official Gazette. There are no provisions for filing opposition to a trademark registration.

An application for a trademark registration may be refused if a trademark is against public order, or if all original documents are not submitted to the Trademark Office within three months as of the filing date, or if the mark reproduces effigies of his Majesty the King or any member of the Royal Family.

## Industrial Awards

Industrial Awards are protected in Morocco under the Trademark Law. Any unauthorized use or indication

of an award on goods or in relation with services of the same concern, sale, offer for sale of goods, in connection with which the award is applied, are offenses punishable under the penal and civil laws in Morocco.

The new law also provides for the protection of collective marks, certification marks, service marks, device marks, geographical indications, indications of source, appellations of origin, and trade names.

A trademark registration is valid for 10 years as of the filing date and renewable indefinitely for the same period. The renewed trademark will keep the same number of the original trademark preceded by capital letter R for the first renewal and 2R for the second renewal and so on and so forth.

A grace period of six months is allowed for late renewal of a trademark registration. The assignment of a trademark should be recorded within three months as of the date of the execution of the assignment document. Unless an assignment is recorded, it will not be effective vis-à-vis third parties. The assignment may be made with or without the goodwill of the business concern. Changes in the name or address of a registrant may be recorded; the recordal of a license agreement is permitted as well.

Any infringement or unauthorized use of a registered trademark, an imitation of such trademark applied on goods or in relation with services of the same classes, sale, offer for sale of goods on which infringing marks are applied are offenses punishable under the penal and civil laws in Morocco.

On the basis of a court order, any interested party is entitled to demand the cancellation of any registered trademark.

*Note: All trademark registrations, which were registered or filed prior to December 18, 2004 in either Morocco*

*(Casablanca) or Tangier zones, will automatically extend its protection to the other zone as of December 18, 2004.*

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property- TMP Agents  
PO Box 19005 Casa El Hank

### Trademark Applications

1. Application form and 4 black and white prints and other 4 colored prints, if any.
2. Payment of the official fees.
3. A certified copy of the home registration if priority is to be claimed.
4. A certificate of guarantee if the mark is subject of international exhibitions or if it is officially known.
5. If the mark is collective, or of certification, a copy of the usage regulation is needed.  
A power of attorney.
7. Full particulars of the applicant.
8. Authorization for trademarks that reproduce effigies, armorial bearings, and initials.

### Rectification of Errors and Material Errors

Conditions of the acceptance of the application for rectification:

1. The application of rectification must be in the form of a petition and must be filed within three months as of the filing date.
2. The application for rectification must be duly completed by the owner or his agent
3. Payment of the official fees.

## Summary of the Patent Registration System

The new unified law No. 17-97, which entered into force December 18, 2004, covers the whole Moroccan territory (both Tangier and Casablanca zones). Consequently, there will be no need to file separate applications in both zones, as one application will be sufficient to cover both.

A patent application containing the description of the invention must be filed accompanied by a proof

of payment of the prescribed fees. A three-month period is given to the applicant or his representative to file missing documents. After full payment of the official fees, the application will then enter in the National Patent Register and it will be allotted a filing number and a filing date. A receipt shall be issued to the applicant or his representative after the filing of the application.

Once all filing procedures are completed, the patent application is confidentially consulted by the representatives of the Administration of the National Defense in order to ensure that the publication of the invention does not harm the state security.

The term for the protection of a normal patent right is 20 non-renewable years as from the filing date of the patent application, and is also 20 non-renewable years as from the International filing date for PCT application entering national phase in Morocco.

Examination of patent applications will only be as to form and patentability of the invention's title only, i.e. the applications will not undergo any substantive examination. Patents are granted within 18 months as from filing date of the patent application. Exclusive rights to exploit the invention are granted to the inventor or his successors in title.

Patent annuities from (2nd - 5th) must be paid at once. The rest of annuities are payable by periods of five years as follows: (6th -10th, 11th -15th, and 16th - 20th). Six-month grace period is allowed with a fine and a further three-month grace period is also granted to restore the patent if the patentee could justify the reasons for non payment.

A three-month grace period is granted to fulfill the filing requirements and documents starting from filing date, otherwise, the application is refused by the Patent Office.

Working of patents in Morocco is an official requirement. Working must be effective within three years as from the date of filing the application. Nominal working by means of a direct offer or an advertisement will be sufficient. Compulsory licenses have only been issued for patents relating to national defense.

A patent of invention may be subject to compulsory licensing if not used or worked out within a period of three years as of grant or four years as of filing. A compulsory license may only be non-exclusive. When the public health or security is involved, some patents may be subject to 'automatic' licensing.

The right to a patent may be assigned in whole or in part. In order to be effective against third parties, the assignment should be recorded within three months from its date of execution. Likewise, recording a license is permitted.

The new law also provide for the protection of layout designs (topographies) of integrated circuits, invention of employees, pharmaceutical compositions, pharmaceutical products and remedies.

As of October 8, 1999 Morocco became the 104th member state of the Patent Cooperation Treaty (PCT). Any international application made as of October 8, 1999 may designate the Kingdom of Morocco.

*Note: All patent registrations, which were registered or filed prior to December 18, 2004 in either Morocco (Casablanca) or Tangier zones, will automatically extend its protection to the other Zone as of December 18, 2004.*

If a patent application is filed at the same time, in both Morocco and Tangier zones, prior to December 18, 2004, then after that date, if the same patent is filed in both zones, the owner of the patent applications have the choice to pay the annuities related to any of the said applications. We do recommend that annuities are paid according to the application filed first.

## Requirements Patent Applications

1. A power of attorney simply signed by the applicant.
2. Formal drawings.
3. Specification & claims in French language.
4. Priority assignment document simply signed by the inventor(s), if the applicant and the inventor(s) are not the same.
5. Priority document if there is any.
6. A certificate of guarantee if the invention is subject of international exhibitions or if it is officially known.

Regarding PCT applications, the International preliminary report as well as the publication sheet showing Morocco among the designated states must be submitted.

## Rectification of Errors and Material Errors

Conditions of the acceptance of the application for rectification:

1. The application of rectification must be in the form of a petition and must be filed within three months as of the filing date.
2. The application for rectification must be duly completed by the owner or his agent
3. Payment of the official fees.

## Summary of the Design and Industrial Models Registration System

The new unified law No. 17-97, which entered into force December 18, 2004, covers the whole Moroccan territory (both Tangier and Casablanca zones). Consequently, there will be no need to file separate applications in both zones, as one application will be sufficient to cover both.

Designs and industrial models are protectable in Morocco by registration with the competent authority. Such a registration is carried out without any novelty examination.

A single application may include up to fifty consecutively numbered designs or models.

The new law benefits only designs that are registered with the Patent Office. Missing documents must be filed within three months as of filing.

Industrial Designs and models are protected for five years. The term of five years may be extended to two other consecutive terms of five years. Renewal of a registration must be effected within the six months preceding expiry of its term of validity. However, a grace period of six months may be granted to effect the renewal.

The renewed model or design will keep the same number of the original model or design preceded by capital letter R for the first renewal and 2R for the second renewal.

An application for a design or industrial model may be refused if a model or design is against public order, or if all original documents are not submitted to the Patent Office within three months as of the filing date, or if the model or design reproduces effigies of his Majesty the King or any member of the Royal Family.

*Note: All patent registrations, which were registered or filed prior to December 18, 2004 in either Morocco (Casablanca) or Tangier zones, will automatically extend its protection to the other zone as of December 18, 2004.*

## Design Applications

1. A power of attorney simply signed by the applicant. Three representations of the model or design.
2. A certificate of guarantee if the model or design is subject of international exhibitions or if it is officially known.
3. A certified copy of the home registration if priority is to be claimed.
4. Payment of official fees.
5. Authorization for trademarks that reproduce effigies, armorial bearings, and initials.
- 6.

## Rectification of Errors and Material Errors

Conditions of the acceptance of the application for rectification:

1. The application of rectification must be in the form of a petition and must be filed within three months as of the filing date.
2. The application for rectification must be duly completed by the owner or his agent
3. Payment of the official fees.

## Summary of the Copyright Registration System

The Copyright Law No. 1.69.135 of July 29, 1970 governs the protection of copyright in Morocco. Morocco is party to the Berne Convention for the Protection of Artistic and Literary Works.

Original works of literature, art and science regardless of type, importance or purpose are protected. This includes works of art expressed in writing, sound, drawing, photography and motion pictures, such as books, writings, speeches, oral works, plays, dramatic works, musical compositions, films, phonographic works, applied art, 3-D works and computer programs. Such works are protected for the lifetime of the author plus 50 years following his/ her death.

In order to gain protection, these works have to be deposited at the Ministry of Culture; the artistic works such as films, music, plays, paintings at the Bureau Maurcain De Droit D'auteur (Moroccan Bureau of Copyright); while the registration of literary works at La Bibliotheque General (General Library).

The Ministry of Culture reserves the right to allow publication of the work of art in documentary, translation, educational, cultural or scientific use under certain conditions.

Infringements are prosecuted before the civil and commer-

cial courts. The courts can stop the circulation of infringing works, seize and destroy them and the equipment used, as well as enforcing an imprisonment period or a fine.

## Requirements Copyright Applications

1. A simply signed power of attorney.
2. A copy of the home registration certificate or registration effective elsewhere.
3. Six samples or copies of the work.

## Summary of the Domain Name Registration System

The Moroccan Government has initiated the registration of Domain Names since 1999. The registration can be in a Native form or a Virtual form. According to the regulations, a domain name registration should actively rent a space for the website and has IP numbers for a primary and secondary ISP.

The Moroccan ISP has no legal obligation to screen domain name registrations and operates a 1st come-1st register body. Any legal disputes are forwarded to the courts and are governed by the Common Law; neither less may request proof of ownership of the name, by a trademark registration or a company name. Proof that an agent for that name in the country has to be recorded.

Once a court order is issued to cancel the domain name, the ISP will abide by the order to cancel or amend a name. Domain names are non-transferable once registered to an entity unless said entity is bought out or merged with another entity. If an entity is dissolved, the domain names owned by that entity will be reallocated.

## Requirements

A letter (submitted by mail or fax on an official letterhead) requesting the domain name registration.

### Notes:

- *If the client has a local company, they can be the registrant.*
- *The client may use their own servers.*
- *No power of attorney is required.*
- *Available extensions:*

.ma	General use
.co.ma	Commercial use
.net.ma	ISPs
.org.ma	Non-for-profit organizations
.press.ma	Media and press
.ac.ma	Academic institutes



# OMAN

## Summary of the Trademark Registration System

Oman is a member to the Paris Convention for the Protection of Industrial Property as of July 14, 1999. The International Classification of Goods and Services for the Purposes of the Registration of Marks is followed in Oman. A separate application should be filed with respect to each class of goods or services.

The Law of Trademarks, Trade Data, Undisclosed Trade Information and Protection from Unfair Competition, promulgated by Sultan Decree No. 38/2000 on May 21, 2000, came into effect June 3, 2000.

The Implementing Regulations of the aforementioned law were issued as per Ministerial Decision No. 62/2005 on June 25, 2005 and were published in the Official Gazette No. 795 dated July 16, 2005, and entered into force as of the same date.

Once a trademark or a service mark application is filed, the mark is examined as to its registrability. The Registrar may object in writing to certain aspects of the mark in the course of examination, such as the scope of goods or services, or asks for modification of the mark. The trademark or service mark applications accepted for registration by the Registrar are published in the Official Gazette and once in a local daily newspaper.

Publication is an invitation to any interested party to oppose the registration of trademarks or service marks conflicting with its interests. An opposition to the registration of a trademark or service mark should be made within the term of the opposition period, i.e. two months from the date of publication of the notice in the Official Gazette.

The duration of a trademark or service mark registration is for 10 years from the filing date renewable for similar periods of 10 years each. According to the provisions of the Law, a grace period of 6 months is allowed for filing a renewal application with lateness

Copyright ©2006 Abu-Ghazaleh Intellectual Property

## Oman Office

**Premises:** 3rd Floor - Al-Taie Building, Near Muscat Private School, Qorum, Sultanate of Oman  
**P.O. Box:** 2366 Ruwi, Postal Code 112 Muscat - Sultanate of Oman  
**Tel:** 00968-24560 -740 / 24562 - 467  
**Fax:** 00968 - 24563 -249

**Email:** agip.oman@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Ala'a Eldin Mohammed

fine. A renewal application is published once in the Official Gazette and in a daily newspaper.

The assignment of a trademark or service mark can be recorded once the mark is registered in the country. In fact, unless an assignment has been entered against a trademark or service mark in the register and published in the Official Gazette, the assignment shall not be effective vis-à-vis third parties. The registrant of a trademark or service mark is also obliged to record any change in his name and/or address with the Trademark Registry.

Use of trademarks is not compulsory in Oman for filing applications or for maintaining registrations in force. However, a trademark registration becomes vulnerable to cancellation by any interested party who can establish the fact that the trademark was not actually used for a period of five years in succession, unless the owner of the mark presents a reasonable excuse to justify his non-use of the mark. A trademark registration will be incontestable if it gains uninterrupted use for 5 years as of the registration date without any successful legal action against it during that period.

Unauthorized use of a trademark registered under the law, an imitation of such trademark applied on goods or in relation with services of the same class, sale, storing for the purpose of sale, or exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods or services of the same class are offenses punishable under the law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Talal Abu-Ghazaleh & Co.  
P O Box 2366, Ruwi  
Postal Code 112, Muscat, Oman

### Trademark/Service Mark Applications

1. A power of attorney duly legalized up to the Consulate of Oman.
2. A certified copy of the certificate of incorporation of the applicant company, an extract of its entry in the commercial register or a good standing certificate including all relevant information.
3. 15 Prints of the trademark.
4. A list of the goods and services to be covered by the application.
5. If priority is claimed, a certified copy of the priority document should be submitted to the trademark office in Oman within three months of filing the application.

### Collective Mark Applications

1. A power of attorney duly legalized up to the Consulate of Oman.
2. A certified copy of the certificate of incorporation of the applicant company, an extract of its entry in the commercial register or a good standing certificate including all relevant information.
3. Prints of all marks should be on one sheet.
4. A certified copy of the priority document must be submitted in case it is claimed, within 3 months of filing the application.

### Quality Control Marks Applications

1. A power of attorney duly legalized up to the Consulate of Oman.
2. Prints of the trademark.
3. A certified copy of the priority document must be submitted in case it is claimed, within 3 months of filing the application.
4. Two official copies of the institution or association statute, which requests for registration, mentioning the introduced amendments.
5. Two copies of the system followed by the applicant to control or inspect products mentioning conditions required to be available and how to use the trademark on it.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney duly legalized up to the Consulate of Oman, if none is available.
2. The trademark number and class.

### Assignments Applications

1. A power of attorney notarized and legalized up

to the Consulate of Oman by the assignee.

2. A legalized deed of assignment executed by both the assignor and the assignee.
3. A certified copy of the certificate of incorporation of the assignee company, an extract of its entry in the commercial register or a good standing certificate including all relevant information.

### Merger Applications - License Applications

1. A power of attorney legalized up to the Consulate of Oman.
2. A legalized certificate of merger or license agreement. The license agreement should indicate the trademark registration number in Oman.
3. A certified copy of the certificate of incorporation of the licensee company, an extract of its entry in the commercial register or a good standing certificate including all relevant information.

### Change of Name Applications

1. A legalized power of attorney showing the new name and address.
2. A certified copy of the certificate of change of name.

### Change of Address Applications

A certified copy of the certificate of change of address.

### Agency Agreements

1. A power of attorney legalized up to the Consulate of Oman.
2. An Agency Agreement/Contract executed by the Principal and the Agent, legalized up to the Consulate of Oman.
3. A statement as to how the agent will carry out his obligations.
4. A copy of the permit of establishing a foreign professional company.
5. A declaration from the individual merchant that there have been no conviction judgments against him that tarnish honor and good repute or bankruptcy, unless he retrieved his esteem.
6. Any document or documents required in implementation of any other law.

### Summary of the Patent Registration System

The patent law was issued in the Sultanate of Oman as per Sultan Decree No. 82/2000. The Implementing Regulations were issued by Ministerial Decision No. 73/2005 dated September 10, 2005 and were

published in the Official Gazette No. 799 dated September 17, 2005.

Oman is party to the Gulf Cooperation Council Patent Office, which provides effective protection for patents.

As of October 26, 2001, Oman became a member of the Patent Cooperation Treaty (PCT) as per Royal Decree No. 37/2001 issued April 24, 2001 and published in the Official Gazette No. 694 May 1, 2001.

## Requirements

Please see Gulf Cooperation Council Patent Office Section.

## Summary of the Design & Industrial Models Registration System

The Design Law, which has been issued by Royal Decree No. 39/2000 May 21, 2000, came into effect June 3, 2000. However, the Implementing Regulations are yet to be issued.

## Summary of the Copyright Registration System

The Copyright Law, issued by Royal Decree No.37/2000 dated May 21, 2000, became effective June 3, 2000. Oman is party to the Berne Convention for the Protection of Literary and Artistic Works as of July 14, 1999.

The Law grants protection to authors of literary, artistic and scientific works whatever the value, kind or purpose or way of expression of the work is.

Generally, the protection will be provided for works whose means of expression is writing, sound, drawing, image or motion picture. It will also include creative titles and computer software, which are published, acted or displayed for the first time in the Sultanate of Oman or abroad.

## Requirements Copyright Applications

1. A power of attorney legalized up to the Consulate of Oman.
2. Three copies of the work.
3. Three original samples of the work
4. A copy of the home registration certificate or registration effective elsewhere.

## Summary of the Domain Name Registration System

Oman Network Information Center (OMnic) is the local registry for the Top Level Domain Name: (TLD) .om in the Sultanate of Oman. The second level domain name, available under .om, includes:

### com.om

to be used by commercial companies registered at the Ministry of Commerce & Industry of the Sultanate of Oman

### co.om

to be used by commercial companies registered at the Ministry of Commerce Industry of the Sultanate of Oman

### edu.om

educational institutions (universities and colleges) registered at the Ministry of Higher Education of the Sultanate of Oman

### ac.om

elementary schools, secondary schools, and high schools with valid licenses from the Ministry of Education

### gov.om

government departments and ministries of the Sultanate of Oman

### net.om

network providers, the administrative computers, and the network node computers, registered at the Ministry of Transportation and communications or registered at Oman Telecommunication Company

### org.om

non-profit organizations, registered at the Ministry of Social Affairs, Labour and Vocational Training

### mod.omall

Ministry of Defense establishments

### museum.om

museums

### biz.om

commercial and trading companies registered at the Ministry of Commerce and Industry of the Sultanate of Oman

### pro.om

for professionals and professional associations

med.om

hospitals and medical clinics with valid licenses from the Ministry of Health

All domain name registration applications are served on a "first-come, first-serve" basis. All requests will be processed on an equal basis.

## Requirements

1. A letter requesting the domain name registration, and it must be on an official letterhead.
2. A copy of a valid Commercial Registration Certificate from the Ministry of Commerce and Industry.
3. If the applicant registers for a trademark, he must provide a license/ permission from the major owner/ sponsor.
4. A simply signed power of attorney.

# PAKISTAN

## Pakistan Office

**Premises:** Anum Empire 510, 5th Floor,  
Block 7/8 Shara-e-Faisal  
**P.O. Box:** 13035 Karachi, Pakistan  
**Tel:** (92-21) 438 8113 / 4  
**Fax:** (92 21) 4388115 / 6

**Email:** agip.pakistan@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Aamir Khan

## Summary of the Trademark Registration System

Pakistan is a member to the Berne Convention for the Protection of Literary and Artistic Works, Convention Establishing the World Intellectual Property Organization (WIPO), the Universal Copyright Convention of 1952, and the WTO/TRIPS Agreement. Also, Pakistan has joined Paris Convention for the Protection of Industrial Property July 22, 2004 and is implementing the International Classification of Goods and Services for the Purposes of the Registration of Marks from 1 to 34 and service mark classification from classes 35 to 45.

Pakistan is currently following both the Trademarks Act of 1940 in respect of cases filed prior to April 12, 2004 as well as new Trademarks Ordinance of 2001 that was promulgated April 12, 2004. In the said Ordinance, provisions for the registration of service marks, convention applications, right to priority and domain names have been included.

The trademark application filed in Pakistan is examined to determine its registrability. When a trademark is accepted by the Registrar it is published in the Trademarks Journal. Any interested party may file a notice of opposition to the registration of a trademark within two months from the date of publication or within the period set by the Registrar, not exceeding two months in aggregate.

The initial registration of a trademark is valid for a period of seven years in respect of applications filed prior to April 12, 2004, renewable for a period of fifteen years from the date of expiration of the original registration, or from the last renewal of registration, as the case may be. The initial registration of Trademark filed after April 12, 2004 is valid for ten years and renewable for a period of 15 years.

The fees for renewing a trademark registration can be paid at any time during the last six months prior to the

expiration of the latest registration. However, upon payment of additional fee, a late renewal is possible during a grace period of four months starting from the date of publication of the registration in the Trademarks Journal under the heading "Unpaid Renewal Fee".

Assignments of a registered trademark with or without goodwill of business, change of name and/or address, registered user agreement and licenses of registered marks, are possible. The introduction of amendments to the registered mark without substantially affecting the identity of the mark or the boundaries of the list of goods covered by the registration of a trademark is also possible and shall be recorded in the official register.

The use of a trademark is not mandatory for filing an application. However, for maintaining the registration in effect, evidence of use is required to be filed at the time of second renewal. However, a concerned party may request the Registrar or the High Court to remove a trademark from the register if it has not been used for five years and one month from the date of registration.

Illegal use of the word "Registered" on an unregistered trademark, use of counterfeited trademark, illegal use of a registered trademark by an unauthorized person, dealing in goods bearing the counterfeited trademark are offences punishable under the law in Pakistan. Infringement proceedings may be filed in the District Court as well as in the High Court.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following legal practice or Registered Trademark Agent associated with Abu-Ghazaleh Intellectual Property as follows:

Mr. Shamsul Haq, Advocate, Mrs. Kiran Tariq, Advocate and Mr. Aamir Khan, TM Agent



C/O Abu-Ghazaleh Intellectual Property Services (Pvt.) Limited.

Anum Empire 510, 5th floor, Block 7/8, Shara-e-Faisal, Karachi, Pakistan

### Trademark/Service Mark Applications

1. A power of attorney [on Form TM-48] duly notarized and signed by the applicant in two places marked by X. One power of attorney is sufficient for filing several applications of the same applicant.
2. Transliteration and translation of non-English words appearing in the mark.
3. Confirmation whether the mark is in use in Pakistan or proposed to be used. If in use, the period date/year of first use shall be specified.
4. Nature of business of the applicant, e.g. manufacturers, merchants, or both, etc.
5. Name, address and nationality/domicile of the applicant.
6. Specification of the goods on which the mark is applied.
7. Ten specimens of the mark (not needed for word mark).
8. Priority date, country and number in case of priority filings.
9. Certified copy of priority documents with its English translation (if any) to be submitted within 90 days of the filing date in Pakistan.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney [on Form TM-48] duly notarized and signed by the applicant in two places marked by X.
2. A copy of the registration certificate.

### Search

1. Prints of the mark (not needed for word mark).
2. Class or goods to be searched.

### Recording an Assignment

1. A power of attorney [on Form TM-48] duly notarized and signed by the applicant in two places marked by X.
2. Duly notarized deed of assignment executed by both parties.
3. The copy of certificate of registration of the marks or details of the marks.

### Recording a License Agreement

1. A power of attorney (form-48) duly notarized and signed by the applicant in two places marked by X.
2. License agreement document duly notarized or legalized up to the Pakistani Consulate.
3. The copy of certificate of registration of the marks or details of the marks and goods.

### Recording a Merger

1. A power of attorney (form-48) duly notarized and signed by the applicant in two places marked by X.
2. Merger document notarized or legalized up to the Pakistani Consulate.
3. Trademark registration number, applicant name and address and class.

### Recording Change of Name or Address

1. A power of attorney (on Form-48) in the new name and/or address duly notarized.
2. A notarized certificate proving the change of name or address issued by the local competent authority of the applicants domicile.
3. The copy of the certificate of registration of the mark or details of the marks.

### Summary of the Patent Registration System

Effective January 1, 2005, Pakistan has entered into the product per se patent protection regime in the field of pharmaceuticals and agriculture. With the new regime, the 'Black Box' application era has ended up. The old system of UNIFORM filing is now restored. There is, however, no development as to when Pakistan is going to sign the Patent Cooperation Treaty (PCT).

Once an application for the grant of a patent is filed, it is examined with respect to compliance with formalities and patentability provided for under the Patent Law, including novelty, inventiveness and industrial application. In case of rejection, the applicant has the right to appeal to the High Court within 90 days as of the date of receiving the notification of rejection.

Accepted applications are published in the Official Gazette and any interested party has the right to appeal to the Controller of opposition within 120 days

as of the date of publication in the Official Gazette. In the absence of opposition, the letters patent is issued. A patent is valid for 20 years.

The right to a patent may be assigned or licensed. An assignment shall have no effect against third parties unless it has been recorded at the Patent Office and published in the Official Gazette.

Working of patents in Pakistan is an official requirement. If the owner of a patented invention does not satisfy the stipulated working requirements within 4 years from the filing date or 3 years from the grant date of the patent, if the working is stopped for 2 consecutive years, if the use does not cover the demands of Pakistan, or if the owner refuses to license it under a contract of fair terms, then the patent will be subject to compulsory licensing under the provisions of the law. Importation of products made under the patent is not considered as use.

Although the law does not have any stipulation of novelty except the mention of 'new', the Implementing Regulations require the administration to examine the patent as to its novelty: i.e., the new invention has no precedence in the industrial prior art. The industrial prior art means all that was disclosed to the public anywhere at any time whether by written or oral disclosure or by use or any other method which allows the understanding of the invention. Technical know-how is protected from any unauthorized use, breach or disclosure. Infringement of the rights of a patentee is punishable under the provisions of the law.

### **Under the Patents Ordinance 2000, four kinds of patents are granted:**

**I.** An ordinary patent, which is dated as of the official date of the application for the patent.

**II.** A patent relating to chemical products intended for use in agriculture and medicines.

**III.** A patent claiming 'priority' which is dated as of the official date of the corresponding application for patent first made in a country which is the member to the WTO.

**IV.** A patent of addition, for the purpose of improving or modifying an invention for which a patent has already been applied or granted.

A patent is valid for 20 years. Annuities are to be paid

starting from the fifth year of the patent term and are paid in advance at the beginning of the fourth year.

The right to a patent may be assigned or licensed. An assignment shall have no effect against third parties unless it has been recorded at the Patent Office and Published in the Official Gazette.

## **Requirements**

### **Patent/Utility Model Applications**

1. A power of attorney simply signed on Form P-28.
2. A form P-2A or P-2 signed by the applicant and endorsed by the inventors (if any).
3. A duly notarized deed of assignment signed by the inventor, if the applicant is not the Inventor.
4. Name, full address and nationality of the applicant and priority filing details (if any).
5. An abstract of the invention of no more than 200 words.
6. Three copies of the specifications and claims.
7. Three sets of the drawings relating to the invention, if any.
8. A certified copy of the priority application giving the filing date, number and country if the application is to be filed with a priority claim within 90 days of the filing date in Pakistan.

### **Search**

1. Title of invention, (filing No. and filing date if any).
2. Years to be searched.

### **Annuity**

1. Title of invention.
2. Filing No. and filing date.

### **Recording an Assignment**

1. A power of attorney simply signed on Form P-28.
2. Duly notarized deed of assignment executed by both parties.

### **Obtaining Copy of the Patent Document**

1. Title of invention.
2. Filing No. and filing date.

### Change of Name

1. A power of attorney simply signed on Form P-28.
2. A notarized certificate proving the change of name or address issued by the local competent authority of the applicant's domicile.

### Change of Address

1. A power of attorney simply signed on Form P-28.
2. A notarized certificate proving the change of name or address issued by the local competent authority of the applicant's domicile.

## Summary of the Design and Industrial Models Registration System

Designs and industrial models are protectable in Pakistan through registration with the competent office. An application for a design registration is examined with respect to compliance with formalities and patentability provided for under the Design Law including novelty and distinctiveness.

Designs that are granted registration shall be published and thereby become open to opposition for a period of six months. However, upon the request of the applicant, the publication may be postponed. If opposition by a third party is justified, the design shall not be registered. The registered design shall be protected for ten years as from the filing date. Protection period is subject of renewal.

The renewal application may be filed during the last six months of the tenth year of the protection period. However, a late renewal is possible upon the payment of a fine, within six months from the expiration of the protection period. Registration, assignment, or cancellation of a design or industrial model registration shall be published in the Official Gazette and entered in the register.

## Requirements

### Design/Industrial Model Applications

1. Full name, Nationality, and complete business address of the applicant.
2. A power of attorney simply signed on Form-31, and Form 15 or Form 16 signed by the applicant with company's seal.
3. Two copies of the model or design if it is two-dimensional or two copies of each view thereof, if it is three-dimensional.

4. Six representations of the design are required.
5. The representations may be drawing, photographs or specimens of the design.
6. Each representation of the design must be upon stout paper (not card-board) of size 13x8.
7. Each figure or view must be designated (perspective view, front view, side view, plan, elevation etc.)
8. A duly notarized deed of assignment signed by the inventor, if the applicant is not the inventor.
9. A certified copy of the priority document if it is to be claimed.
10. An affidavit duly signed by the applicant and notarized or legalized by the Pakistan Embassy.
11. If representation of an article having moveable part, such moveable parts must be shown on the same relative portion in all views.
12. If coloration of a part of any view is necessary to indicate a particular feature for which novelty is claimed, such coloration should be a permanent light wash which does not obscure any features possible present within the colored area.
13. Certified copy of priority document as filed earlier of the national application.

### Renewal

1. Title of invention.
2. Filing No. and filing date.
3. A power of attorney simply signed on Form -31.

### Assignment

1. A power of attorney simply signed on Form -31.
2. Duly notarized deed of assignment executed by both parties.

### License

1. A power of attorney simply signed on Form -31.
2. A duly notarized license agreement executed by both parties.

### Cancellation of a Design

1. Title of invention.
2. Filing No. and filing date.
3. A power of attorney simply signed on Form -31.

### Change of Name Only

1. A power of attorney simply signed on Form -31.
2. A notarized certificate proving the change of name or address issued by the local competent authority of the applicant's domicile.

### Change of Address Only

1. A power of attorney simply signed on Form -31.
2. A notarized certificate proving the change of name or address issued by the local competent authority of the applicant's domicile

### Summary of the Copyright Registration System

Under the Pakistan Copyright Ordinance of 1962 and its amendments of the year 2000, original works of literature, art and science, regardless of type, significance or purpose are protectable.

Protection includes works of art expressed in writing, sound, drawings, photography and motion pictures, such as books, speeches, oral work, dramatic works, musical composition, films, phonographic works and applied art.

Such works are protected for the lifetime of the author plus 50 years following his/her death. Civil remedies by way of injunction and/or damages, and criminal remedies by way of fine and imprisonment are available through the courts of Pakistan. Police raids are also permissible.

### Requirements

#### Copyright Applications

1. A notarized power of attorney.
2. Affidavit from the author.
3. Name, address and nationality of the applicant and author; and if the author is dead, the date of his death.
4. Nature of the applicant's interest in the copyright of the work.
5. Class and description of the work.
6. Title of the work.
7. Language of the work.
8. Whether the work is published or unpublished.
9. Year and country of first publication and name, address and nationalities of the publishers.
10. Years and countries of subsequent publishers, if any, and names, addresses and nationalities of the publishers.
11. Names, addresses and nationalities of the owners of the various rights comprising the copyright in the work and the extent of rights held by each, together with particulars of assignment and licenses, if any.
12. Name, address and nationalities of the other

persons, if any, authorized to assign or license the rights comprising the copyright.

13. 13. If the work is an artistic work, the location of the original work, including name, address and nationality of the person in possession of the work. (In case of an architectural work, the year of completion of the work should also be mentioned).

#### Statement of Further Particulars

(For Literary, Dramatic, Musical and Artistic works only)

1. Whether the work to be registered is:
  - a. An original work;
  - b. A translation of a work in the public domain;
  - c. A translation of a work in which copyright subsists;
  - d. An adaptation of a work in public domain; or
  - e. An adaptation of work in which copyright subsists.
2. If the work is a translation or adaptation of a work in which copyright subsists:
  - a. Title of the original work.
  - b. Language of the original work.
  - c. Name, address and nationality of the author of this original work; and if the author is dead, the date of his death.
  - d. Name, address and nationality of the publisher, if any, of the work.
  - e. Particulars of the authorization for a translation or adaptation including the name, address and nationality of the party authorizing.

# PALESTINE GAZA STRIP

## Summary of the Trademark Registration System

The Palestinian Territories, the West Bank and Gaza Strip, have separate jurisdictions with regard to Intellectual Property matters.

The Palestinian Trademark and Patent Laws of 1938 are adopted in the Gaza Strip while the Jordanian Laws are adopted in the West Bank. The two Laws are very similar. For obtaining full protection all over the Palestinian Territories, we recommend filing in both jurisdictions.

Palestine is not a member to any international convention but abides by the International Classification of Goods and Services for the Purposes of the Registration of Marks in the West Bank and Gaza Strip. A separate application is to be filed for each class of goods and/or services, as well as in each jurisdiction.

Once a trademark application is filed, it is examined as to its registrability. Trademark applications accepted by the Registrar are published in the Official Gazette. There is a three-month period open for filing opposition by any interested party. An opposition to the registration of a trademark should be prosecuted before the Registrar within three months as from the date of publication. The opposition case is referred to the High Court of Justice if not settled before the Registrar or if either party appeals the Registrar's decision. In the absence of opposition, or in case the opposition application is refused, a certificate of registration will be issued.

A trademark registration is valid for seven years from the date of filing the application and renewable for periods of fourteen years each. The Trademark Law provides for a one-month period for late renewal of a trademark subject to payment of a lateness fine. A trademark registration can be renewed at any time after the expiry of the relevant registration as long as the Registrar has

## Gaza Office

**Premises:** Al-Quds Street, Ansar Square, Awqaf Building, 2nd floor, Apartment No. 8+9, Southern Rimal, Gaza, Palestine.

**P.O. Box:** 505 Gaza City, Gaza Strip

**Tel:** 970-8 28 27 947

**Fax:** 970-8 24 156

**Email:** agip.gaza@tagi.com

**Website:** www.agip.com

**Contact:** Ms. Manar Basheer

not ordered that such a trademark registration should be cancelled from the register of trademarks.

The assignment of a trademark can be recorded once the trademark is registered. In fact, unless an assignment has been entered against the trademark in the register and published in the Official Gazette, the assignment shall not be effective vis-à-vis third parties. It is noteworthy that the assignment of a trademark should be made along with the goodwill of the business concern. Changes of the name or address of a registrant, amendment of a trademark and limitation of goods covered by a registration can be recorded as well.

Use of trademarks is not compulsory for filing applications or for maintaining trademark registrations in force. However, a trademark registration is vulnerable to cancellation by any interested party, who can establish that the trademark was not actually used during the two years immediately preceding the application for cancellation, or that there was no bona fide of using the trademark on the goods in respect of which the trademark was registered.

Unauthorized use of a trademark registered under the law or an imitation of such trademark applied on goods of the same class, or sale, storing for the purpose of sale, or exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods of the same class are offenses punishable under the law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property- TMP Agents  
PO Box 505, Gaza City, Gaza Strip



### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Fifteen prints of the trademark for each class of goods.
3. The name, address, nationality, and occupation of the applicant.

### Renewal of Trademark/Service Mark Registration

1. A simply signed power of attorney.
2. The trademark number and class and date of registration.

### Change of Name/Address Applications

1. A simply signed power of attorney.
2. A certified copy of the change of name or address certificate issued by the home registry.
3. The number and date of registration of the trademark, patent, or design.

### Assignment Applications

1. A simply signed power of attorney.
2. A notarized deed of assignment.

### Agency Agreements

1. A power of attorney legalized up to the Palestinian Consulate. Notarization is acceptable if a Palestinian Consulate is not available.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Palestinian Consulate and a certified translation if not in the Arabic Language.

### Summary of the Patent Registration System

Once a patent application is filed, it is examined as to compliance with formalities and patentability provided for under the Patent Law. A separate application has to be filed in each jurisdiction. The Patent Office may require whatever amendments necessary to bring the application into conformity with the law. In the event the applicant does not comply with the requests of the Patent Office within a given grace period or as authorized by the Registrar of patents, the Registrar will refuse the application.

An applicant is entitled to appeal against the Registrar's request by means of submitting a petition to the High Court of Justice within one month as from the

date of the Registrar's decision. Approved applications are published in the Official Gazette and are open to public inspection. Any interested party may oppose the grant of a patent within two months from the date of publication. The opposition notice is submitted to the Registrar of patents. Should no opposition against the grant of a patent be filed, a decision granting the patent is issued. The letters patent is granted after payment of the prescribed fees.

A patent is valid for sixteen years from the date of filing the application. Such validity is subject to payment of the prescribed renewal fees, which should be paid before the expiration of the fourth, eighth, and twelfth years from the filing date or the convention filing date in case of priority applications.

Novelty is not limited to the country only. A novelty examination takes into consideration any specification previously lodged with the Patent Office or any patent previously registered.

The right to a patent may be assigned, transferred through succession or licensed. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents is an official requirement. In the event that the owner of a patented invention does not satisfy the stipulated working requirements of the country within three years as from the date of grant, then the patent will be subject to compulsory licensing under the provisions of the law.

The rights conferred by a patent on the registered patentee expire on the lapse of the protection period as prescribed by the law, lawful assignment of the patent rights, final court decision to this effect, or nonpayment of due renewal fees within three months after the respective due date.

Infringement of the rights of a patentee is punishable under the provisions of the current Patent Law.

### Requirements

#### Patent Applications

1. A simply signed power of attorney.
2. Patent Form No. 1 sworn and signed by the inventor(s) as applicant(s), or jointly by the inventor(s) with other person(s) as applicants.

In case of claiming priority, the form should be signed by the applicant in the home country or by his successor.

3. Three copies of the specification and claims in English and Arabic.
4. Three sets of the formal drawings, if any.

### Change of Name/Address Applications

1. A simply signed power of attorney.
2. A certified copy of the change of name or address certificate issued by the home registry.
3. The number and date of registration of the trademark, patent, or design.

### Assignment Applications

1. A simply signed power of attorney.
2. A notarized deed of assignment.

## Summary of the Design & Industrial Models Registration System

Designs are protectable through registration with the competent office. A separate application has to be filed in each jurisdiction. Design applications accepted by the Registrar are published in the Official Gazette. There is a two-month period open for filing opposition by any interested party. Such a registration is effected without any novelty examination at the applicant's responsibility.

A design registration is valid for five years from the filing date renewable for two similar periods of five years each.

A registration of a design is subject to cancellation in the event any interested party requests such a cancellation before the competent tribunal. Cancellation can be based on the grounds that the subject design was not novel at the time of filing the relevant application or that the design is applied through manufacturing processes to any article in a foreign country and is not so applied through any manufacturing processes in the territories to such extent as is reasonable in the circumstances of the case.

There is no provision in the current Design Law for compulsory working or licensing with respect to designs.

Infringement or unauthorized use of a registered design is punishable under the current Design Law.

## Requirements

### Design Applications

1. 1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. 2. Three sets of specimens or representations of the design.
3. 3. The name, business, nationality and address of the applicant.
4. 4. The class(es) in which the design is to be registered.
5. 5. The article(s) covered by the design and the material used in producing these items.
6. 6. A description of the design pointing out its novel aspects.

### Assignment Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. A duly notarized assignment deed which must include the assignment of the goodwill of the business concern related to the trademark.

### Change of Name/Address Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. A certified copy of the change of name or address certificate issued by the home registry.
3. The number and date of registration of the trademark or patent concerned.

### Agency Agreements

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Palestinian Consulate and a certified translation if not in the Arabic Language.

*Note: The registration does not exempt its holder from obtaining an occupational practice permit.*

## Summary of the Domain Name Registration System

The Palestinian National Internet Naming Authority (PNINA) is the local registry for the Top Level Domain Name: (TLD) .ps in Palestine. Registration is

available directly or through second level domains as listed below:

**.com.ps, net.ps and org.ps**

for all entities such as commercial, network companies, ISPs, NGOs and individuals

**.edu.ps**

or educational institutions

**.gov.ps**

for institutions of the Palestinian National Authority (PNA) and the future State of Palestine

**.plo.ps**

for institutions of the Palestinian Liberation Organization (PLO)

**.sec.ps**

for security organizations of the Palestinian National Authority and the future State of Palestine

1. Domain names may be registered for active or inactive usage (reservation for future use).
2. All domain name registration applications are served on a 'first-come, first-served' basis. All requests will be processed on an equal basis.
3. Domain Names under the .ps domain and the contents they point to are considered virtual extensions of the Palestinian sovereignty with applicability of Palestinian law to the said extensions.
4. The Palestinian Courts shall have the exclusive jurisdiction to settle any dispute that may arise out of or in connection with the '.ps domain policy'.

In principle, the registration of names under .ps is open to any entity inside and outside Palestine, within the 1st six months of PNINA operation (starting January 15th, 2004), however, the only entities allowed to register under .ps are those with legal presence in Palestine.

An entity can register any number of domain names under the .ps domain.

## Requirements

1. A letter (submitted by mail or fax on an official letterhead) requesting the domain name registration.
2. A simply signed power of attorney (Original is required).

# PALESTINE THE WEST BANK

## Summary of the Trademark Registration System

The Palestinian Territories, the West Bank and Gaza Strip, have separate jurisdictions with regard to Intellectual Property.

The Palestinian Trademark and Patent Laws of 1938 are adopted in the Gaza Strip while the Jordanian Laws are adopted in the West Bank. The two Laws are very similar. For obtaining full protection all over the Palestinian Territories, we recommend filing in both jurisdictions

Palestine is not a member to any international convention but abides by the International Classification of Goods and Services for the Purposes of the Registration of Marks in the West Bank and Gaza Strip. A separate application is to be filed for each class of goods and/or services, as well as in each jurisdiction.

Once a trademark application is filed, it is examined as to its registrability. Trademark applications accepted by the Registrar are published in the Official Gazette. There is a three-month period open for filing opposition by any interested party. An opposition to the application of a trademark should be prosecuted before the Registrar within three months as from the date of publication. The opposition case is referred to the High Court of Justice if not settled before the Registrar or if either party appeals the Registrar's decision. In the absence of opposition, or in case it is rejected, a certificate of registration will be issued.

A trademark registration is valid for seven years from the date of filing the application renewable for periods of fourteen years each. The Trademark Law provides for a one-month period for late renewal of a trademark subject to payment of a lateness fine. A trademark registration can be renewed at any time after the expiry of the relevant registration as long as the Registrar has not ordered that such a trademark registration should

## West Bank Office

**Premises:** Green Tower Building, Al-Nuzha Street, near Ramallah Public Library

**P.O. Box:** 3800 Al-Bireh, Ramallah The West Bank

**Tel:** (972-2 or 970-2) 298 9401

**Fax:** (972-2 or 970-2) 298 8150

**Email:** [agip.westbank@tagi.com](mailto:agip.westbank@tagi.com)

**Website:** [www.agip.com](http://www.agip.com)

**Contact:** Mr. Ma'an Nasser

be removed from the register of trademarks.

The assignment of a trademark can be recorded once the trademark is registered. In fact, unless an assignment has been entered against the trademark in the register and published in the Official Gazette, the assignment shall not be effective vis-à-vis third parties. It is noteworthy that the assignment of a trademark should be made along with the goodwill of the business concern. Changes in the name or address of a registrant, amendment of a trademark and limitation of goods covered by a registration can be recorded as well.

Use of trademarks is not compulsory for filing applications or for maintaining trademark registrations in force. However, a trademark registration is vulnerable to cancellation by any interested party who can establish that the trademark was not actually used during the two years immediately preceding the application for cancellation, or that there was no bona fide of using the trademark on the goods in respect of which the trademark was registered.

Unauthorized use of a trademark registered under the law or an imitation of such trademark applied on goods of the same class, or sale, storing for the purpose of sale, or exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods of the same class are offenses punishable under the law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property - TMP Agents  
PO Box 3800, Al-Bireh, Ramallah, West Bank

### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. Fifteen prints of the trademark for each class of goods.
3. The name, address, nationality, and occupation of the applicant.
4. A copy of the certificate of incorporation or an extract of entry of the applicant company.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. The trademark number and class and date of filing.

### Assignment Applications

1. Powers of attorney - on behalf of the Assignor and the Assignee- notarized and legalized up to the Palestinian Consulate.
2. A deed of assignment notarized and legalized up to the Palestinian Consulate.

### Change of Name/Address Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. A certified copy of the change of name or address certificate issued by the home registry. The certified copy should be legalized up to the Palestinian Consulate.
3. The number and date of registration of the trademark concerned.

### Agency Agreements

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Palestinian Consulate and a certified translation if not in the Arabic Language.

*Note: The registration does not exempt its holder from obtaining an occupational practice permit.*

### Summary of the Patent Registration System

Once a patent application is filed, it is examined

as to compliance with formalities and patentability provided for under the Patent Law. A separate application has to be filed in each jurisdiction. The Patent Office may require whatever amendments necessary to bring the application into conformity with the law. In the event the applicant does not comply with the requests of the Patent Office within a given grace period or as authorized by the Registrar of patents, the Registrar will reject the application.

An applicant is entitled to appeal against the Registrar's request by means of submitting a petition to the High Court of Justice within one month as from the date of the Registrar's decision. Approved applications are published in the Official Gazette and are open to public inspection. Any interested party may oppose the grant of a patent within two months from the date of publication. The opposition notice is submitted to the Registrar of patents. Should no opposition against the grant of a patent be filed, a decision granting the patent is issued. The letters patent is granted after payment of the prescribed fees.

A patent is valid for sixteen years from the date of filing the application. Such validity is subject to payment of the prescribed renewal fees which should be paid before the expiration of the fourth, eighth, and twelfth years from the filing date or the convention filing date in case of priority applications.

Novelty is not limited to the country only. A novelty examination takes into consideration any specification previously lodged with the Patent Office or any patent previously registered.

The right to a patent may be assigned, transferred through succession or licensed. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents is an official requirement. In the event that the owner of a patented invention does not satisfy the stipulated working requirements of the country within three years as from the date of grant, then the patent will be subject to compulsory licensing under the provisions of the law.

The rights conferred by a patent on the registered patentee expire on the lapse of the protection period as prescribed by the law, lawful assignment of the patent rights, final court decision to this effect, or non-payment of due renewal fees within three months



after the respective due date.  
Infringement of the rights of a patentee is punishable under the provisions of the current Patent Law.

## Requirements Patent Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. Notarized Patent Form No. 1 sworn and signed by the inventor(s) as applicant(s), or jointly by the inventor(s) with other person(s) as applicants. In case of claiming priority, the form should be signed by the applicant in the home country or by his successor.
3. Three copies of the specification and claims in English and Arabic.
4. Three sets of the formal drawings, if any.

## Assignment Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. A deed of assignment notarized and legalized up to the Palestinian Consulate.

## Change of Name/Address Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. A certified copy of the change of name or address certificate issued by the home registry. This certified copy should be legalized up to the Palestinian Consulate.
3. The number and date of registration of the patent concerned.

## Agency Agreements

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Palestinian Consulate and a certified translation if not in the Arabic Language.

*Note: The registration does not exempt its holder from obtaining an occupational practice permit.*

## Summary of the Design and Industrial Models Registration System

Designs are protectable through registration with the competent office. A separate application has

to be filed in each jurisdiction. Design applications accepted by the Registrar are published in the Official Gazette. There is a two-month period open for filing opposition by any interested party. Such a registration is effected without any novelty examination at the applicant's responsibility.

A design registration is valid for five years from the filing date renewable for two similar periods of five years each.

A registration of a design is subject to cancellation in the event any interested party requests such a cancellation before the competent tribunal. Cancellation can be based on the grounds that the subject design was not novel at the time of filing the relevant application, or that the design is applied through manufacturing processes to any article in a foreign country and is not so applied through any manufacturing processes in the territories to such extent as is reasonable in the circumstances of the case.

There is no provision in the current Design Law for compulsory working or licensing with respect to designs.

Infringement or unauthorized use of a registered design is punishable under the current Design Law.

## Requirements Design Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. Three sets of specimens or representations of the design.
3. The name, business, nationality and address of the applicant.
4. The class(es) in which the design is to be registered.
5. The article(s) covered by the design and the material used in producing these items.
6. A description of the design pointing out its novel aspects.

## Assignment Applications

1. A power of attorney notarized and legalized up to the Palestinian Consulate.
2. A deed of assignment notarized and legalized up to the Palestinian Consulate.

## Change of Name/Address Applications

1. A power of attorney notarized and legalized up

- to the Palestinian Consulate.
- 2. A certified copy of the change of name or address certificate issued by the home registry. This certified copy should be legalized up to the Palestinian Consulate.
- 3. The number and date of registration of the design concerned.

### Agency Agreements

- 1. A power of attorney notarized and legalized up to the Palestinian Consulate.
- 2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Palestinian Consulate and a certified translation if not in the Arabic Language.

*Note: The registration does not exempt its holder from obtaining an occupational practice permit.*

### Summary of the Domain Name Registration System

The Palestinian National Internet Naming Authority (PNINA) is the local registry for the Top Level Domain Name: (TLD) .ps in Palestine. Registration is available directly or through second level domains as listed below:

#### com.ps, net.ps and org.ps

for all entities such as commercial, network companies, ISPs, NGO's and individuals

#### edu.ps

for educational institutions

#### gov.ps

for institutions of the Palestinian National Authority (PNA) and the future State of Palestine

#### plo.ps

for institutions of the Palestinian Liberation Organization (PLO)

#### sec.ps

for security organizations of the Palestinian National Authority and the future State of Palestine

- 1. Domain names may be registered for active or inactive usage (reservation for future use).
- 2. All domain name registration applications are served on a 'first-come, first-served' basis. All requests will be processed on an equal basis.
- 3. Domain Names under the .ps domain and the

contents they point to are considered virtual extensions of the Palestinian sovereignty with applicability of Palestinian law to the said extensions.

- 4. The Palestinian Courts shall have the exclusive jurisdiction to settle any dispute that may arise out of or in connection with the ".ps domain policy".

In principle, the registration of names under .ps is open to any entity inside and outside Palestine, within the 1st six months of PNINA operation (starting January 15th, 2004), however, the only entities allowed to register under .ps are those with legal presence in Palestine.

An entity can register any number of domain names under the .ps domain.

### Requirements

- 1. A letter (submitted by mail or fax on an official letterhead) requesting the domain name registration.
- 2. A simply signed power of attorney (Original is required).

*Note: for registering domain Names in Palestine, please contact AGIP Gaza Office at [agip.gaza@tagi.com](mailto:agip.gaza@tagi.com).*

# QATAR

## Summary of the Trademark Registration System

Qatar follows the International Classification of Goods and Services for the Purposes of the Registration of Marks, yet classes 1, 4 to 7, 10 to 14, 16 to 22, 29 and 31 are not granted entirely under the Trademark Law. Products covered by class 33 and alcoholic drinks and beverages in class 32 are not registrable. The Law has been amended so that a separate application should be filed with respect to each class of goods or services.

According to the current procedures of registration, the Arabic transliteration of a word mark in Latin should be shown along with the Latin script, and both the Latin and Arabic scripts should be enclosed in a rectangular frame.

The prints of a trademark originally in colors can be submitted in black and white, but the colors should be depicted by means of hatching prepared according to the Heraldic Code.

Once a trademark application is filed, the trademark is examined as to the form and substance, as Qatar follows the anteriority examination system. Accepted trademark applications are published in the trademarks Official Gazette. Any interested party may, within four months from the date of publication, oppose the registration of a published trademark. Opposition cases are referred to the civil court if not settled by the Registrar, or if either party appeals the Registrar's decision. In the absence of opposition, a published trademark is registered, and the relative certificate of registration is issued.

A trademark registration is valid for 10 years from the date of filing the application, renewable for further consecutive periods of 10 years each. The renewal fees of a trademark registration can be paid during the

## Qatar Office

**Premises:** Trans Orient Center Building,  
Airport Road, Doha

**P.O. Box:** 2620 Doha, State of Qatar

**Tel:** (974) 4416 455

**Fax:** (974) 4425 687

**Email:** [agip.qatar@tagi.com](mailto:agip.qatar@tagi.com)

**Website:** [www.agip.com](http://www.agip.com)

**Contact:** Mr. Sami Younis

last twelve months of the current protection period. There is a six-month grace period within which a late renewal application can be filed, but such a late renewal application is subject to payment of additional fees. A separate application for the renewal of a trademark registration or any recordal is needed in respect of each class of goods or services as far as trademarks originally registered in more than one class.

The ownership of a registered trademark can be assigned with or without the goodwill of the business concern. Unless an assignment has been recorded in the register and published in the Official Gazette of trademarks, the assignment shall have no effect vis-à-vis third parties. Changes in the name and/or address of a registrant, amendments not substantially affecting the identity of a trademark, and limitation of the list of goods or services covered by a trademark registration can be recorded as well.

Use of trademarks in Qatar is not compulsory for filing applications or for maintaining trademark registrations in force. Any interested party may request the court to order cancellation of a trademark registration if the owner fails to use such a trademark in Qatar within five consecutive years from the date of registration. The cancellation action for non-use of a registered trademark cannot be accepted unless the owner of a trademark is given one-month notice that his trademark is subject to cancellation for non-use.

Unauthorized use of a trademark registered under the law, an imitation of such a trademark applied on goods and/or used in respect of services of the same class, sale, storing for the purpose of sale, exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods and/or services of the same class are offenses punishable under the law in Qatar.

*Note: Trademark Law No. 9 of 2002 was issued June 8, 2002, and published in the Official Gazette, but the Implementing Regulations have not yet been issued.*

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:  
Abu-Ghazaleh Intellectual Property - TMP Agents  
PO Box 2620, Doha, State of Qatar

### Trademark/Service Mark Applications

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate and stamped with the company's seal.
2. A simple copy of the certificate of incorporation of the applicant company or an extract of the entry of the applicant in the commercial register.
3. Five prints of the trademark.
4. The list of the goods to be covered by the application. The protection of the class cannot include all goods and services; one item must always be excluded.
5. The name, address, nationality and legal status of the applicant and the nature of its business.
6. A copy of the priority document.

### Collective Mark Applications

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate and stamped with the company's seal.
2. A simple copy of the certificate of incorporation of the applicant company or an extract of the entry of the applicant in the commercial register.
3. Five prints of the trademark.
4. The list of the goods to be covered by the application. The protection of the class cannot include all goods and services; one item must always be excluded.
5. The name, address, nationality and legal status of the applicant and the nature of its business.
6. A copy of the priority document.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate and stamped with the company's seal if we do not previously possess one.
2. The name, address and nationality of the applicant and the nature of its business.
3. The trademark number.

### Assignments Applications

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate by the assignee and stamped with the company's seal.
2. A deed of assignment signed by both parties, authenticated and legalized up to the Consulate of Qatar.
3. A simple copy of the certificate of incorporation or an extract of the entry of the assignee company in the commercial register.

### Registered User/License Agreement Applications

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate by the Licensee and stamped with the company's seal.
2. An authenticated license agreement in writing signed by the parties thereto and duly legalized up to the Qatari Consulate.
3. A simple copy of the certificate of incorporation or an extract of the entry of the registered user company in the commercial register.

### Change of Name/Address Applications

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate in the new name and/or address and stamped with the company's seal.
2. A certificate proving the change of name or address duly legalized up to the Qatari Consulate.

### Amendment of Trademark Applications

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate and stamped with the company's seal.
2. An authenticated certificate showing the amendment duly legalized up to the Qatari Consulate.

### Agency Agreements

1. A power of attorney legalized up to the Qatari Consulate or any other Arab consulate.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Qatari Consulate and should include:
  - a. Names and nationalities for both the agents and the principal.
  - b. Goods, products and services, which are nominated in the Agency contract.
  - c. Rights and liabilities of both Agent and Principal, and the Principal's responsibility towards his Agent's obligations with clarifying

the proportion of profit or commission.

*Note: In case no Qatari Consulate exists, then legalization will be accepted from any Arab consulate.*

## Summary of the Patent Registration System

The State of Qatar is a party to the Gulf Cooperation Council Patent Office, which provides effective protection for patents.

As there are no statutory patent laws in force in the State of Qatar, the only available means for protecting patents is publishing cautionary notices in Arabic and English in local newspapers.

Cautionary notices define the owners' interest in industrial property, announce the ownership thereto, and alert the public against any possible infringement. Such publication of notices could be of considerable assistance in case of litigation.

There is no standing regulation as to when a cautionary notice should be republished. A cautionary notice is not as effective as a registration and is not deposited with any government department. Consequently, republication of cautionary notices at reasonable intervals acts as a reminder to the public and helps to ward off eventual infringers.

## Summary of the Design and Industrial Models Registration System

Industrial Designs Law No. 9 of 2002 was issued June 8, 2002 and published in the Official Gazette in Qatar, but the Implementing Regulations has not yet been issued.

As there are no statutory design laws in force in Qatar, the only available means for protecting designs is publishing cautionary notices in Arabic and English in local newspapers.

Cautionary notices define the owners' interest in industrial property, announce the ownership thereto, and alert the public against any possible infringement. Such publication of notices could be of considerable assistance in case of litigation.

There is no standing regulation as to when a cautionary notice should be republished. A cautionary notice is not as effective as a registration and is not deposited with any government department. Consequently, re-publication of cautionary notices at reasonable

intervals acts as a reminder to the public and helps to ward off eventual infringers.

## Requirements Design Applications (Cautionary Notices)

The requirements for publishing cautionary notices are the following:

1. The name, address, nationality, nature of business, etc., of the owner of the invention or industrial model or design.
2. The title of the invention and particulars of the home registration or any other registration.
3. A summary description of the invention in English if the owner desires to have it published.

## Summary of the Copyright Registration System

The Qatari Copyright Law No. 25 of 1995 was issued July 22, 1995, and published in the Official Gazette No. 14 dated August 12, 1995. The Implementing Regulations of the Law have not yet been issued and thus delaying the implementation of the law.

Currently it is possible to deposit a copyright work with the Copyright Protection Office; however, it is not possible to settle the relevant fees and no filing certificate will be issued.

The Copyright Protection Office will keep the application in their custody till the issuance of the Implementing Regulations of the law. In evidence of submitting a copyright work, the office will provide a letter stating that they received the work only.

Protection will be granted to authors of literary, artistic and scientific works whatever the value, kind or purpose or expression of the work is. Generally, the protection will be provided for the works whose means of expression is writing, sound, drawing, image or motion picture. It also includes creative titles and computer software.

*Note: The new Copyright and Neighboring Rights Law No. 7 of 2002 has been issued June 8, 2002, but the Implementing Regulations have not yet been issued.*

## Requirements Copyright Applications

The Copyright Protection Office has not specified the



filing requirements for works to be filed by agents.

However, Article 36 of the Law states that owners and authors of intellectual works who wish to file their applications and to deposit their works with the office should submit the following:

1. The name of the author or authors in the case of joint works.
2. The subject of the work.
3. Five copies of the work.
4. A detailed specification of the work.
5. A written declaration of the ownership of the work by the author or authors.
6. A written declaration by the author or authors specifying the manner in which they choose to publish the work.
7. Approval of the work by the competent department in the Ministry of Information in accordance with the provision of the law on publication

## Summary of the Domain Name Registration System

The Qatar Telecom (Q-Tel) is the local registry for the Top Level Domain Name: (TLD) .qa in Qatar. The second level domain name available under .qa includes:

.com.qa	for commercial use
.net.qa	for Internet activities
.org.qa	for non-for-profit organizations
.edu.qa	for educational institutions
.gov.qa	for governmental entities

All domain name registration applications are served on a 'first-come, first-serve' basis. All requests will be processed on an equal basis.

## Requirements

1. The applicant should submit (by mail or fax) a letter requesting the domain names registration and it must be on an official letterhead.
2. A power of attorney form legalized up to the Qatari Consulate (Original is required).

# SAUDI ARABIA

## Summary of the Trademark Registration System

Saudi Arabia joined the Paris Convention for the Protection of Industrial Property on March 11, 2004. The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) is followed in Saudi Arabia and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002. Trademarks covering alcoholic goods are not registrable as well as retail and wholesale services. A separate application should be filed with respect to each class of goods or services.

Once a trademark or a service mark application is filed, it is examined as to its availability, registrability and coverage. If the Registrar objects in writing to certain aspects of the mark in the course of examination, such as the scope of goods or services or asks for modification of the mark, a grace period of 3 months is given to the applicant to comply with the Registrar's request. Once the application is formally rejected, a complaint against the rejection can be filed before the Minister of Commerce, within 60 days from the date of notification of the rejection. The Minister's decision may be appealed before the Board of Grievances (First Instance Court). The trademark or service mark applications accepted for registration are published in the Official Gazette of Saudi Arabia (Ummulqura).

Publication is an invitation to any interested party to oppose the registration of trademarks or service marks conflicting with their interests. There is a three-month period open for filing opposition by any interested party. An opposition to the registration of a trademark or service mark should be filed within the term of the opposition period, i.e., 90 days from the date of publication of the notice in the Official Gazette. The case should be filed before the Board of Grievances (First Instance Court).

## Saudi Arabia Office

**Premises:** Al-Khaldiya Building, South Entrance, 2nd floor, Olaya Main Street, Riyadh  
**P.O. Box:** 9767, Riyadh 11423, Kingdom of Saudi Arabia

**Tel:** (966-1) 464 2936  
**Fax:** (966-1) 465 2713

**Email:** agip.ksa@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Ma'an Al-Khen

The duration of a trademark or a service mark registration is 10 years from the filing date according to the Hegira (Islamic) calendar (equivalent to approximately 9 years and 8 months). The registration is renewable for similar periods of 10 years each. According to the provisions of the new Trademark Law, a grace period of six Hegira months with a lateness fine is allowed for filing a renewal application after the expiration of protection period. A fresh trademark application can be filed for the re-registration of a canceled trademark or service mark.

The assignment of a trademark or a service mark can be recorded once the mark is registered in the country. In fact, unless an assignment has been entered against a trademark or a service mark in the register and published in the Official Gazette, the assignment shall not be effective vis-à-vis third parties. The Registrar does not give any importance to the goodwill associated with a trademark nor to the consideration amount involved in the assignment. The registrant of a trademark or service mark is also obliged to record any change in its name and/or address in the Registry.

Use of trademark is not compulsory in Saudi Arabia for filing applications to obtain registration or for maintaining registrations in force. However, a trademark becomes vulnerable to cancellation by any interested party who can establish that the trademark was not actually used for a period of five years in succession, unless the owner of the mark presents a reasonable excuse to justify non-use of the mark.

Unauthorized use of a trademark registered under the law, an imitation of such trademark applied on goods or in relation with services of the same class, sale, storing for the purpose of sale, exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods or services of the same class are offenses punishable under the law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Mr. Suleiman Ibrahim AL-Ammar  
PO Box 9767, Riyadh 11423, Saudi Arabia

### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Saudi Consulate. One general power of attorney is sufficient for filing simultaneous and any future applications.
2. A list of goods/services to be covered by the application.
3. Fifteen prints of the trademark. A trademark print should not exceed (5x5) cm.
4. The full name and address of the applicant.
5. In case of claiming priority, a certified copy of the priority application is to be filed within three months from the application filing date.

### Collective and Quality Marks Application

1. A power of attorney notarized and legalized up to the Saudi Consulate. One general power of attorney is sufficient for filing simultaneous and any future applications.
2. A list of goods /services to be covered by the application.
3. 3. Fifteen prints of the trademark. A trademark print should not exceed (7x7) cm.
4. The full name and address of the applicant.
5. Two certified copies of the Articles of Association duly legalized up to the Saudi Consulate.
6. Two certified copies of the system to be adopted by the applicant in controlling or examining the products along with a statement on the conditions and requirements to be available therein and the method of using the mark thereon duly legalized up to the Saudi Consulate.

### Renewal Applications

1. A power of attorney notarized and legalized up to the Saudi Consulate.
2. The original Saudi registration certificate of the trademark for the purpose of endorsement.

### Assignment Applications

1. A power of attorney notarized and legalized up

to the Saudi Consulate.

2. A legalized deed of assignment executed by both assignor and assignee.
3. The original Saudi registration certificate of the trademark for the purpose of endorsement.

### Merger/License Applications

1. A power of attorney notarized and legalized up to the Saudi Consulate.
2. A legalized certificate or merger or a copy of the license agreement.
3. The original Saudi registration certificate of the trademark for the purpose of endorsement.

### Change of Name and/or Address Applications

1. A legalized power of attorney showing the new name and/or address.
2. A legalized certificate of change of name.
3. The original Saudi registration certificate of the trademark for the purpose of endorsement. (As for recording change of address, only 1 and 3 of the above are required).

## Summary of the Patent Registration System

A new Patents, Layout Designs of Integrated Circuits, Plant Varieties and Industrial Models Law was issued in the Kingdom of Saudi Arabia as per the Royal Decree No. M/27 dated July 17, 2004.

The new Law, which provides full protection for patents, layout designs of integrated circuits, plant varieties and industrial models in KSA, was published in the Official Gazette No. 4004, dated August 6, 2004 and entered into force September 6, 2004.

The Implementing Regulations for the aforementioned law were issued as per the administrative decision dated December 26, 2004 and entered into force on the same date.

The Directorate of Patents at King Abdul-Aziz City of Science and Technology is deemed as the 'Patent Office' and has the authority to grant patents in the country.

Once an application for the grant of patent is filed with the Patent Office, it will be examined with respect to the compliance of the applicant with the formalities. If executed satisfactorily, the application receives a filing number and the filing date is secured.

The definition of an invention includes any new article, method of manufacture, or improvement in either of them. Product patents are also protected.

Absolute universal novelty is stipulated by the Patent Law. An invention is new only if it is not anticipated by the prior art, which covers anything disclosed to the public anywhere and at any time, by means of a written or oral disclosure, by use, or in any other way before the relevant filing date or priority date.

A patent application shall relate to a single invention or to a group of integrated parts that form a single invention concept. The applicant, before the issuance of the grant decision, may divide the application into more than one, provided that none of them shall deviate from what was disclosed in the original application. The filing date of the original application and the priority date shall be deemed to be the filing date of the divisional applications.

A patent shall be protected for 20 years from the date of filing the application. A patent is subject to annuity due at the beginning of each year subsequent to the year in which the application was filed and payable within a period of three months (January 1st to March 30th). Late payment of annuity fee is allowed within three months thereafter in exchange for double fee.

Naming the inventor is compulsory, and the rights to a patent belong solely to the inventor; such rights can be assigned with or without consideration.

The granting of a license does not prevent the patentee from utilizing the patent or from granting a license on the same patent to another person, unless otherwise restricted in the original license agreement. The licensee may not assign the rights and privileges conferred on him, unless his ability to do so is expressly stipulated in the license agreement.

The Patent Office may grant a compulsory license for exploiting the patent to any person upon application filed thereof, provided that the patentee has not exploited or sufficiently exploited the invention covered by the patent within four years from the application filing date or three years from the grant date unless he justifies that with a legitimate excuse.

Saudi Arabia is party to the Gulf Cooperation Council Patent Office which provides effective protection. Please see GCC Patent Office section.

## Requirements Patent Applications

1. A power of attorney executed in the name of the applicant duly notarized and legalized up to the Saudi Consulate.
2. A notarized and legalized deed of assignment, if any, executed by the inventor(s), assigning the patent rights to the applicant.
3. Two copies of the specification in English and Arabic prepared strictly in the following order:
  - The abstract (not exceeding one page).
  - Background of the invention.
  - Summary description of the invention.
  - Brief description of the drawings, if any.
  - Full description of the invention.
  - Claims.
4. General Information Required:
  - a. Name(s) and address(es) of the inventor(s)
  - b. A list of the home and/or foreign applications stating:
  - c. Country of filing.
  - d. Application number(s) and filing date(s).
  - e. Publication number and date (if any).
  - f. Class of the patent in accordance with the international classification (if known).

## Summary of the Design and Industrial Models Registration System

A new Patents, Layout Designs of Integrated Circuits, Plant Varieties and Industrial Models Law was issued in the Kingdom of Saudi Arabia as per the Royal Decree No. M/27 dated July 17, 2004.

The new law, which provides full protection for patents, layout designs of integrated circuits, plant varieties and industrial designs in KSA, was published in the Official Gazette No. 4004, dated August 6, 2004 and entered into force September 6, 2004.

The Implementing Regulations for the aforementioned Law were issued as per the administrative decision dated December 26, 2004 and entered into force on the same date.

Absolute universal novelty is stipulated by the Design Law. However, the applications are examined on formalities only.

Protection period for industrial designs and models shall be 10 years from the date of filing the application.

## Requirements

### Documents:

1. A power of attorney notarized and legalized up to the Saudi consulate.
2. A deed of assignment executed by the designer (if not the applicant), notarized and legalized up to the Saudi consulate.
3. A certified copy of the priority document in the case of claiming priority (late filing within three months from the filing date is possible).

*Note: the original documents in points 1 & 2 should be submitted at the time of filing the application.*

### Information:

1. Full name and address of the applicant and the designer.
2. Description of the model or design together with the relevant drawings.
3. Type of the products for which the industrial model or design will be used.
4. In the case of disclosure through an official exhibition or any other public disclosure, the documents indicating such disclosures and date are required.

## Summary of the Copyright Registration System

The Copyright Law in the Kingdom of Saudi Arabia was issued as per the Royal Decree No. M/41 dated August 30, 2003 and published in the Official Gazette No. 3959 dated September 19, 2003.

The Implementing Regulations of the Law were published in the Official Gazette (Um-Al-Qura) dated June 4, 2004 and entered into force August 2, 2004.

Saudi Arabia is a member of the Universal Copyright Convention as of July 13, 1994, and of Berne Convention for the Protection of Literary and Artistic Works as of March 11, 2004.

Protection is granted to authors whose works of art are expressed in writing, sound, drawing, photography or motion pictures and computer software. The right of the author is protected for his lifetime and for a period of 50 years after his death.

The protection shall cover all intellectual works whether literary, scientific or artistic works of any type as far as the distribution of the same in the kingdom of Saudi Arabia is allowed.

Foreign intellectual works are protected in accordance with the International Conventions the KSA is a member therein.

The Law incorporates stringent penalties to be imposed on IP infringers. These penalties include financial fines reaching up to 250.000 Saudi Riyals, closing the violating establishment, confiscation of all copies of the work, and imprisonment for a period not exceeding six months.

No registration procedures of copyright are available in Saudi Arabia. According to the Berne Convention, the registration in home country extends to all member states.

However, any printed materials or computer programs can be distributed in Saudi Arabia only after receiving the approval of the Ministry of Information. For this purpose, a local distributor is essential. The distributor should obtain the necessary approval locally.

### Requirements for Local Filing of the Works:

#### Computer Software:

1. Two copies of the software.
2. A detailed explanation of the software with specification of its contents.
3. The name and identity of the programmer (a photocopy of his passport).
4. An undertaking that the program is not quoted, i.e. it is the programmer's own invention. If the opposite is proven, the application will be treated as canceled.
5. A power of attorney legalized up to the Saudi Arabian Consulate.
6. A permission from the Ministry of information allowing to circulate the software.

#### Literary Works & Others:

1. Two copies of the work.
2. The name and identity of the author.
3. An undertaking that the work is not quoted, i.e. it is author's own invention. If the opposite is proven, the application will be treated as canceled.
4. A power of attorney legalized up to the Saudi Arabian Consulate.



5. A permission from the Ministry of Information allowing to distribute the work.

## Summary of the Domain Name Registration System

The Saudi Network Information Center (SaudiNIC) is the local registry for the Top Level Domain Name: (TLD) .sa in the Kingdom of Saudi Arabia. The second level domain name, available under .sa, includes:

### .com.sa

Dedicated only for entities that provide commercial services with valid commercial registrations from the Ministry of Commerce (MOC) or any equivalent documents. Also, registered trade names and marks with MOC can be registered as domain names under com.sa.

### .edu.sa

Dedicated only for educational and training institutions, e.g., universities, training institutes, etc., with valid licenses from official government offices.

### .sch.sa

Dedicated only for kindergartens, elementary schools, secondary schools, and high schools with valid licenses from Ministry of Education or from the General Presidency for Girls Education.

### .med.sa

Dedicated only for entities that provide health services such as hospitals, medical clinics, pharmacies, etc., with valid licenses from the Ministry of Health

### .gov.sa

Dedicated only for governmental entities including ministries, authorities and government organizations.

### .net.sa

Dedicated only for entities that provide internet-related services such as ISPs, web hosting, portal sites, etc.

### .org.sa

Dedicated only for non-profit organizations including societies, charity firms, clubs and public organizations.

### .pub.sa

Dedicated only for entities or individuals that do not fit in any of the above categories, including personal names.

1. All domain name registration applications are served on a "first-come, first-serve" basis. All requests will be processed on an equal basis.
2. For-profit entities requesting names under the "com.sa", "edu.sa", "sch.sa", "med.sa", or "net.sa" domains should submit (by mail or fax) a copy of their legal documents. For personal names under "pub.sa", a copy of the applicant's Civil Affairs ID card is required.

## Requirements

1. The applicant should submit (by mail or fax) a letter requesting the domain names registration and it must be on an official letterhead.
2. Applicant should submit a copy of its legal documents (e.g. Saudi Commercial Registration, Saudi trademark registrations, etc.). Accordingly, foreign corporations are allowed to register Saudi domain names provided that they own a Saudi trademark registration or a trademark application that has been accepted for registration. We can handle filing trademark applications on behalf of our clients and completing the process up to obtaining the registration certificate.
3. The power of attorney should be notarized and legalized up to the Saudi Arabian Consulate. The same power of attorney will also suffice for filing trademark applications on behalf of the client (Original is required).

# SUDAN

## Sudan Office

**Premises:** The Sudanese Islamic Bank Building, 6th Floor, Apartment No.1, Alqaser Street, Khartoum

**P.O. Box:** 1623 Khartoum, Sudan

**Tel:** (+249 1) 83765771  
(+249 1) 83765773  
(+249 1) 83766226

**Fax:** (+249 1) 83765772

**Email:** agip.sudan@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Mohammad Al-Haj

## Summary of the Trademark Registration System

Sudan has been a party to the Madrid Agreement Concerning the International Registration of Marks (Act of Stockholm of 1967) as of May 16, 1984. The International Classification of Goods and Services for the Purposes of the Registration of Marks is followed in Sudan with the exception of trademarks covering alcoholic goods, which are not registrable.

Once a trademark application is filed, it is examined as to its registrability. Should the mark lack any requirement as provided for in the law and its regulations, the Registrar of Trademarks will reject the application. The applicant may appeal for reviewing that rejection to the Registrar. However, if this failed to give the expected result, the applicant may appeal such rejection to the court of law.

Trademark applications approved by the Registrar are published in the Official Gazette. There is an eight-month period from the date of publication during which any interested party may file an opposition notice. An opposition to the registration of a published trademark should be prosecuted before the Registrar, whose decision may be appealed to the court. In the absence of any opposition, a published trademark is registered, and the relative certificate is issued. A declaration of nationality stating that the nationality of the applicant has not been changed since the filing of the application is normally requested before issuance of the certificate of registration.

A trademark registration in Sudan is valid for ten years from the date of filing the trademark application, renewable for periods of ten years each, upon application and payment of the official renewal fees.

Late renewal of a trademark registration is permitted until a cancellation decision is published in the Official Gazette.

The assignment of a trademark should be recorded within six months from the date of the transfer agreement. Also, unless an assignment is entered in the records of the Trademark Office, it shall not be effective vis-à-vis third parties. The assignment may be with or without the goodwill of the business; a partial assignment is also possible.

Changes in the name and/or address of a registrant may be recorded. License agreements for the use of trademarks may be approved by the Attorney General according to Section 22 (3) (A) of the Trademarks Act, 1969, and must be recorded within six months of their execution.

Use of trademarks in Sudan is not a prerequisite for filing applications or for maintaining trademark registrations in force. However, a registered trademark is vulnerable to cancellation, if there had been no use of the mark in the Sudan during five consecutive years after registration of the mark. On the basis of a court order, the Trademark Office or any interested party is entitled to demand the cancellation of any trademark registered in the country in bad faith.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu -Ghazaleh Intellectual Property Co., LTD - TMP Agents  
PO Box 1623, Khartoum, Sudan

*Note: All Powers of Attorney must be notarized and stamped with the company's seal.*

### Trademark/Service Mark Applications

1. A power of attorney notarized and stamped with the company's seal.
2. A certified extract of the entry of the applicant company in the commercial register, or a certified copy of the certificate of incorporation legalized up to the Sudanese Consulate. If not in English or Arabic, a certified and legalized translation of the extract in either language should be provided, legalized up to the Sudanese Consulate.
3. Sixteen prints of the trademark for each class.
4. A list of the goods and services to be covered by the application. The protection of the class cannot include all goods and services; one item must always be excluded.
5. The meaning, if any, of a word mark.

*Note: The Registrar in Sudan sometimes asks for a certified copy of the corresponding home registration of the trademark.*

### Collective Mark Applications

1. A power of attorney notarized and stamped with the company's seal.
2. A certified extract of the entry of the applicant company in the commercial register, or a certified copy of the certificate of incorporation legalized up to the Sudanese Consulate. If not in English or Arabic, a certified and legalized translation of the extract in either language should be provided, legalized up to the Sudanese Consulate.
3. Sixteen prints of the trademark for each class.
4. A list of the goods and services to be covered by the application. The protection of the class cannot include all goods and services; one item must always be excluded.
5. The meaning, if any, of a word mark.

*Note: The Registrar in Sudan sometimes asks for a certified copy of the corresponding home registration of the trademark.*

### Search Applications

1. Four prints of the trademark.
2. The class in which the search should be conducted.

### Agency Agreements

1. A simply signed power of attorney and stamped with the company's seal.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Sudanese Consulate.
3. Tax & Alms Clearance for the local Agent.
4. A certified copy of the company registration and memorandum of association or the company registration certificate and the commercial agent permit.

### Renewal of Trademark/Service Mark Registrations

1. A power of attorney notarized and stamped with the company's seal.
2. The trademark registration number.
3. The date of expiration of the trademark registration.

### Assignments Applications

1. A power of attorney as mentioned earlier from the assignee and the assignor, both duly notarized.
2. A deed of assignment legalized up to the Sudanese Consulate accompanied by its duly legalized English translation if not in English.
3. Legal forms Nos. TM 11 and TM 12. (Notarized).
4. The original certificate of registration of the trademark for endorsement purposes.
5. A certified extract of the entry of the assignee in the commercial register or a certificate of incorporation of the assignee, together with its English translation, duly legalized up to the Sudanese Consulate.

### Change of Name/Address Applications

1. A power of attorney notarized and stamped with the company's seal.
2. A certified copy of the change of name and or address certificate in the home country duly legalized up to the Sudanese Consulate. If not in Arabic or English, a sworn translation in either language of the document should be provided duly legalized up to the Sudanese Consulate.
3. The original certificate of registration of the trademark for endorsement purposes.

## License Applications

1. A power of attorney notarized and stamped with the company's seal.
2. A certified copy of the license agreement. The certificate of incorporation of the licensee should be legalized up to the Sudanese Consulate accompanied by its duly legalized English translation if not in English.
3. Legal Form No.4 to be completed (Duly legalized and notarized).

*Note: No need for the Original Registration Certificate as the registrar will issue a Certificate declaring the license recorded.*

## Summary of the Patent Registration System

Sudan has been a party to the Patent Cooperation Treaty (PCT) as of April 16, 1984. For international applications under the PCT designating Sudan, a copy of the application must be filed within 30 months of the claimed priority date. Both product and process claims are patentable.

Once an application for the grant of a patent is filed, it will be examined with respect to compliance with the formalities and to unity of invention only. Upon acceptance of a patent application, the applicant will be notified and invited to pay the publication fees, then the patent will be granted and publication of the grant in the Official Gazette will take place. Any refusal by the Registrar to grant a patent may be appealed before the court. Anyhow, upon acceptance of a PCT application, the applicant will be notified and invited to pay the Registration fees and the patent will be granted without publication of the grant.

A patent is valid in Sudan for twenty years from the date of filing the application. Maintenance fees are due annually counting from the filing date. A six-month grace period subject to a fine is allowed for late payment of an annuity. For PCT patents, the anniversary date of annuity payments is calculated from the International filing date.

An assignment of a patent shall have no effect against third parties unless it has been recorded at the Patent Office. Licenses may be exclusive or non-exclusive and must be recorded to be effective against third parties. Licenses involving payment of royalties abroad must be approved by the Attorney General prior to their recording.

Working of patents in Sudan is an official requirement. In the event that the owner of a patented invention in Sudan does not satisfy the stipulated working requirements of the country within four years from the date of filing or three years from the date of grant, then the patent will be subject to compulsory licensing under the provisions of the law.

## Requirements Patent Applications

1. A simply signed power of attorney.
2. A certified copy of the certificate of incorporation of the applicant company and its articles of incorporation duly legalized up to the Sudanese Consulate. A certified and legalized translation is required, if the document is not in either English or Arabic.
3. Two copies of the patent specification and claims including an Arabic translation of the abstract of the invention.
4. Two sets of the formal drawings, if any.
5. A priority document if priority is to be claimed.

For filing the national phase of a PCT application, the following additional information or documents are required:

1. PCT filing number and date.
2. Particulars of the application on the basis of which priority is claimed.
3. International publication number and date.
4. A certified copy of the PCT application.
5. A copy of the relative international publication and search report, if any.

*Note: For filing the national phase of a PCT application, a certified copy of the Certificate of Incorporation of the applicant company is not required.*

## Assignments Applications

1. A power of attorney as mentioned earlier from the assignee and the assignor, both duly notarized.
2. A deed of assignment legalized up to the Sudanese Consulate accompanied by its duly legalized English translation if not in English.
3. A certified extract of the entry of the assignee in the commercial register or a certificate of incorporation of the assignee, together with its English translation, duly legalized up to the Sudanese Consulate.

### Change of Name/Address Applications

1. A power of attorney notarized and stamped with the company's seal.
2. A certified copy of the change of name and or address certificate in the home country duly legalized up to the Sudanese Consulate. If not in Arabic or English, a sworn translation in either language of the document should be provided duly legalized up to the Sudanese Consulate.

### Summary of the Design & Industrial Models Registration System

Sudan issued the Implementing Regulations for Industrial Designs Law of 1974 in July 1999. Based on these Regulations, the Industrial Designs Office will accept applications for Industrial Designs. The Office will examine the application in terms of novelty and make sure that the filing requirements are fulfilled.

Protection of Industrial designs shall be valid for 5 years from the date of the application, and may be renewed for two successive five-year periods. Renewal fees should be paid within 12 months, with a grace period of 6 months allowed to pay the fees after the lapse of the legal period provided that a late renewal fee should be paid.

### Requirements Design Applications

1. A power of Attorney simply signed by the applicant.
2. The certificate of Incorporation of the applicant, legalized up to the Sudanese Consulate.
3. Translation into Arabic of the contents of the application and its enclosures.
4. A specimen of the material of which the Industrial design is made or a photographic picture or sketch drawing of the industrial design in color if possible or an architectural model or any other means of production which is shown by such representation.
5. A certified copy of the priority document if it is to be claimed.

### Assignments Applications

1. A power of attorney as mentioned earlier from the assignee and the assignor, both duly notarized.
2. A deed of assignment legalized up to the Sudanese Consulate accompanied by its duly legalized

English translation, if not in English.

3. A certified extract of the entry of the assignee in the commercial register or a certificate of incorporation of the assignee, together with its English translation, duly legalized up to the Sudanese Consulate.

### Change of Name/Address Applications

1. A power of attorney notarized and stamped with the company's seal.
2. A certified copy of the change of name and or address certificate in the home country duly legalized up to the Sudanese Consulate. If not in Arabic or English, a sworn translation in either language of the document should be provided duly legalized up to the Sudanese Consulate.

### Agency Agreements

1. A simply signed power of attorney and stamped with the company's seal.
2. An Agency Agreement executed by the Principal and the Agent, legalized up to the Sudanese consulate.
3. Tax & Alms Clearance for the local Agent.
4. A certified copy of the company registration and memorandum of association or the company registration certificate and the commercial agent permit.

### Summary of the Copyright Registration System

Copyright protection is granted in Sudan based on the Copyright and Neighboring Rights Protection Law No. 49 dated 1996. As of December 28, 2000 Sudan has become party to the Berne Convention for the Protection of Literary and Artistic Works.

The protection is available to works of fine arts, drawings, photography, paintings, engravings, sculptures, decorations, musical works, dramatic works, phonographic, cinematography and television films in addition to maps, manuscripts relating to geography, topography or science. Protection is gained for the lifetime of the author plus 25 years after death.

Infringements are prosecuted before Khartoum Commercial and Intellectual Property Court of Sudan and infringers will be penalized by a fine or an imprisonment.



## Requirements Copyright Applications

1. A simply signed power of attorney and stamped with the company's seal.
2. Two copies of the work for registration purposes, in case of sculptures or similar works a photograph of the work.
3. Details of the author including the address.

## Summary of the Domain Name Registration System

The Sudan Internet Society (SIS) is the local registry for the Top Level Domain Name: (TLD) .sd in Sudan. The second level domain name available under .sd includes:

**.com.sd** Dedicated only for entities that provide commercial services with valid Commercial Registrations from Ministry of Commerce (MOC) or any equivalent documents. Also, registered trade names and marks with MOC can be registered as domain names under com.sd.

**.net.sd** Dedicated only for entities that provide Internet-related services, e.g., ISPs, web hosting, portal sites, etc.

**.org.sd** Dedicated only for non-profit organizations including societies, charities, clubs and public organizations.

**.edu.sd** Dedicated only for educational and training institutions, e.g., universities, training institutes, etc., with valid licenses from official government offices.

**.sch.sd** Dedicated only for Kindergartens, elementary schools, secondary schools, and high schools with valid licenses from Ministry of Education or from General Presidency for Girls Education.

**.med.sd** Dedicated only for entities that provides health services such as hospitals, medical clinics, pharmacies, etc., with valid licenses from Ministry of Health.

**.gov.sd** Dedicated only for Governmental entities including ministries, authorities and government organizations

1. Domain names may be registered for active or inactive usage (reservation for future use).

2. All domain name registration applications are served on a 'first-come, first-serve' basis. All requests will be processed on an equal basis.

## Requirements

1. A domain name application form has to be submitted to Abu-Ghazaleh Intellectual Property (AGIP).
2. At the time of application, the applicant should have arranged at least two operational domain name servers to the domain name in question. Such domain name servers may be arranged through third party providers. One of the servers is the primary name server while the other is the secondary name server. All servers need permanent IP connectivity to the Internet. Each domain name server must be capable of receiving queries for the domain name and responding thereto.

## Required documents:

1. Application Form stating:
  - Name of registrant.
  - Administrative as well as technical contact.
  - The required domain name.
  - The IP addresses of the primary and secondary name servers.
2. All applications should be filed directly by the owners.

# SYRIA

## Syria Office

**Premises:** 7th floor, Al-Badeen Building, Al-Thawra Bridge, Damascus

**P.O. Box:** 31000 Damascus, Syrian Arab Republic

**Tel:** (963-11) 2316 052

**Fax:** (963-11) 2312 870

**Email:** agip.syria@tagi.com

**Website:** www.agip.com

**Contact:** Mr. Mohammad Ammar Azmeh

## Summary of the Trademark Registration System

Syria is a member to the Paris Convention for the Protection of Industrial Property (Stockholm Act of 1967).

The International Classification of Goods and Services for the Purposes of the Registration of Marks is followed in Syria. However, an application can include goods or services in any number of classes with payment of additional fees.

Once a trademark application is filed, it is examined as to its registrability and existence of prior rights.

Applications accepted by the Registrar are referred to the Israel-Boycott Department to clear the applicant company name. In case of the first-time applicant who has no prior clearing approval and prior registration, a boycott declaration is requested from the applicant. Once the clearing approval is obtained, the application progresses to registration according to the Registrar's decision. It is possible to apply for reconsideration of the Registrar's decision. A trademark registration is published in the Official Gazette.

There is no provision as to appealing the Registrar's decision issued in favor or against the registration of a trademark nor for opposition by any interested party. A trademark is published in the Official Gazette only after its registration.

As from January 2005, the Registrar has started to calculate the protection period of the registered marks to be (10) years as of the application filing date instead of the registration date. For those trademarks registered earlier, the calculation remains (10) years as of the registration date. A trademark is renewable for similar periods. A grace period of six months is allowed for late renewal of a trademark registration against payment of a lateness fine. The registration of all trademarks covering soaps in class 3 and pharma-

ceutical and medical products in class 5 is compulsory. The registration of this type of trademarks requires additional documents to be completed.

The assignment of a trademark should be recorded. Unless it is published in the Official Gazette and entered in the records of the Trademark Office, an assignment shall not be effective vis-à-vis third parties. The assignment of a trademark is possible with or without the goodwill of the business concern. Changes in the name and/or address of a registrant must be recorded. Recordals such as those of assignments and changes of names or addresses should be recorded within three months from the date of the respective deed or certificate. Otherwise, a penalty is to be paid for every two-month delay.

Use of trademarks in Syria is not compulsory for filing applications for registration or for maintaining trademark registrations in force. Prior use of an unregistered trademark may be claimed provided that an authenticated proof is furnished. The ownership of a trademark becomes conclusive after five years as from the date of its registration.

Infringement or unauthorized use of a registered trademark is punishable under the provisions of the law.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property - TMP Agents  
PO Box 31000, Damascus, Syria

## Trademark/Service Mark Applications

1. A notarized power of attorney. A separate power

for each application is required. However, one POA suffices for filing more than one application simultaneously.

2. A printing block and ten (10) prints, which can be processed locally.
3. The list of the goods to be covered by the application.
4. A certified copy of the home registration of the trademark. In the absence of a home registration, the Registrar in Syria may accept a certified copy of any foreign registration of the trademark.
5. The name, address, nationality, profession and nature of business of the applicant

### Collective Mark Applications

1. A notarized power of attorney. A separate power for each application is required. However, one POA suffices for filing more than one application simultaneously.
2. A printing block and ten (10) prints, which can be processed locally.
3. The list of the goods to be covered by the application.
4. A certified copy of the home registration of the trademark. In the absence of a home registration, the Registrar in Syria may accept a certified copy of any foreign registration of the trademark.
5. The name, address, nationality, profession and nature of business of the applicant
6. The list of the goods to be covered by the application.

In the absence of the corresponding home or foreign registration, it is the practice of the Syrian Trademark Office to accept a notarized statement of non-registration (as per the form below), but in this case, each Class should be covered by a separate application.

.....

### STATEMENT

We hereby confirm that our under-mentioned trademark which application is to be filed at the Proprietary Protection Department (PPD) in Syria is not registered in.....\*.....or any other foreign country.

If the contrary is proven, the PPD will have the right to nullify this trademark registration in Syria.

Trademark \_\_\_\_\_ Class \_\_\_\_\_  
(Signature and Seal)

Name of Signor:  
Title:  
Company:

*\* State home country of the applicant.  
- This document should be notarized.*

.....

### Compulsory Trademark Applications

Trademarks filed in class 3 for soaps or in class 5 for pharmaceutical products require a legalized certificate of origin from Ministry of Health, Chamber of Commerce or any competent authority in the applicant's country (as per the form below) as to the true origin of the products upon which the trademark is applied. This document ought to be legalized up to the Syrian Consulate.

### CERTIFICATE OF ORIGIN

We hereby certify for the purpose of the Syrian laws relating to Trademarks applied on Pharmaceutical products, that the products, upon which the under-mentioned Trademark is applied, are of..... origin and are manufactured in.....by .....

**TRADEMARK Signed by:**  
(An Authorized Officer)

Furthermore, a trademark involving pharmaceuticals entails submitting of list of main ingredients (composition) of the pharmaceutical products on which the mark is to be registered, issued by the company and typed on its letterhead.

### Renewal of Trademarks

1. A notarized power of attorney, for each application. However, one POA suffices for filing more than one application simultaneously.
2. A printing block and prints of the trademark.
3. Owners name and address as recorded in Syria.
4. Explanation of any modifications on the trademark registration in Syria, IF ANY, including the change of name or address or in the mark's title, etc..., along with mentioning the number and date of the relevant certificate issued by the Proprietary Protection Department (PPD) in Syria.

## Summary of the Patent Registration System

Syria became a member of the Patent Cooperation Treaty (PCT) June 26, 2003.

The patent application is filed with the Patent Office (PO) at the Syrian Proprietary Protection Department, along with all the required papers and documentation.

The application is then referred to a committee concerned with processing the application from the formal and subjective standpoints and as to whether the patent has a practical industrial application or not. Such processing will follow payment of the relevant fees.

The committee will then decide whether to grant the patent or not on the strength of a report laid down by several university professors and scholars specialized in patent issues to whom a copy of the patent applications in both Arabic and English or French is sent.

At a later stage and in order to support the consideration procedures by the PO, a certified copy of the corresponding letters patent issued in the home country of the applicant or any other foreign one is required.

A patent is valid for fifteen years. Annuities are to be paid on or before the anniversary date of filing the patent application even before the grant of the patent. A six-month grace period is allowed for late payment of annuities against payment of a lateness fine.

Working of a patent is compulsory within two years as from the date of the grant. A nominal working notice published in a local newspaper inviting potential investors to exploit the invention in the country is acceptable for satisfying the compulsory condition.

### Requirements Patent Applications

1. Notarized power of attorney (POA). Faxed copy of the POA is acceptable for filing the national application in Syria. The original can be submitted within 2 months thereafter.
2. Copy of the PCT international application (request 101 with its attached declarations as filed), showing Syria as a designated country.
3. Copy of the PCT publication.
4. Copy of the search report.
5. Copy of the Preliminary Examination Report

6. Specifications, claims, and abstract of the invention in quadruplicate in English or French with the Arabic translation. Arabic translation can be made through our office.

## Summary of the Design & Industrial Models Registration System

The validity of a design registration in Syria is for five years, renewable for two further similar periods. A grace period of six months is allowed for late renewal of a design registration against payment of the prescribed lateness fine. The procedures for the registration are that once an application is filed with all requirements, a committee set up by the Proprietary Protection Department will search the local markets for any similar or identical models in order to decide to accept or refuse the application.

### Requirements Design Applications

1. A notarized Power of Attorney.
2. A certified copy of the design home or any other foreign corresponding registration certificate (for each design).
3. (6) Photographs of each design in all dimensions. (The Registrar may request a physical sample of the design later)
4. Technical description of each design with the supporting drawing.

### Assignment, License or Merger Applications

1. A notarized power of attorney from the assignee, licensee or company surviving out of merger for each application.
2. A legalized deed of assignment signed by both the assignor and the assignee, license agreement or certificate of merger.
3. The number and date of the design concerned.
4. The name, address, nationality, profession and nature of business of the assignee, licensee or the company surviving out of merger.

### Change of Name/Address Applications

1. A notarized power of attorney.
2. A legalized certificate indicating the change of name and/or address, clarifying and specifying the date of the change.
3. The number and date of the design concerned.

### Notes:

1. During the prosecution of the application, the Israel-Boycott Bureau may request from the first-time applicant company a boycott declaration. This document is to be submitted only when it is actually requested. If the boycott declaration is not submitted when requested, the application will not turn to registration procedures. In case the applicant company has prior registration(s) in Syria, then it would be possible to waive the request of this declaration.
2. No application can be filed unless all required documents are available. If priority is claimed, then the priority document should be submitted within 3 months from the date of filing the application.

## Summary of the Copyright Registration System

Syria became a member of the Berne Convention for the Protection of Literary and Artistic Works June 11, 2004.

On February 28, 2001 Law No. 12 of 2001 was issued in Syria regarding copyright protection. The Syrian Copyright Protection Department has started entertaining copyright applications in Syria, but the governmental fees will be paid later on, once specified.

Syria issued a copyright and neighboring rights draft law February 9, 2004, but it has not been passed yet.

### Requirements Copyright Applications

1. A notarized power of attorney.
2. Personal data of the copyright work creator (copy of his ID is required).
3. The copyright work made on CDs in triplicate (within 5 mm lid boxes).
4. Undertaking that the copyright is created by the work owner and is not illegally quoted. (Undertaking form will be available at the CPD).
5. Assignment from the copyright work creator to the applicant, in case the applicant is not the creator.
6. The copyright work should be published within (3) years from its registration; otherwise the copyright registration will be considered void.

## Summary of the Domain Name Registration System

The Syrian Telecommunications Establishment (STE) is the local registry for the Top Level Domain Name: (TLD) .sy in Syria.

The second level domain name, available under .sy, includes:

.com.sy	to be used for commercial purposes
.gov.sy	to be used by governmental institutes and agencies
.net .sy	to be used by Internet service providers
.org .sy	to be used by non-profit organizations
.edu.sy	to be used for educational institutions
.info.sy	to be used for informational sites

1. All domain name registration applications are served on a 'first-come, first-serve' basis. All requests will be processed on an equal basis.
2. Domain names can be registered for immediate usage or for future use (parking).

### Requirements

1. The applicant should submit (by mail or fax) a letter requesting the domain names registration and it must be on an official letterhead.
2. A certified copy of the company registration in its home country (incorporation certificate).
3. A power of attorney notarized and legalized up to the Syrian Consulate in favor of AGIP Office - Syria (Original is required).

### DN information:

- Registrant name and address.
- Administrative contact
- Technical contact
- The Primary DNS and the Primary DNS host address
- The Secondary DNS and the Secondary DNS host address



# TUNISIA

## Summary of the Trademark Registration System

Trademark Law No. 36 was issued April 17, 2001 in Tunisia. This Law replaced the Tunisian Trademarks & Trade Names law Dated June 4, 1889 and its amendment of 1936. The International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) is followed in Tunisia, and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002.

The Law addresses several aspects, some of which are in compliance with the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. These are the protection of colors, sound and collective marks, acknowledgment of the well-known trademark, as well as the alteration of the registration procedure allowing for examination by the Tunisian authorities, published in the Trademark Office Official Gazette 'AL-Muwassafat' for two months, in which opposition maybe filed by any party. Once the opposition period is completed and no opposition has been filed, then the trademark may mature into a registration and certificate of registration will be issued.

Protection under the Lw has been reduced to 10 years from the filing date instead of the designated 15 years currently being implemented. Also, fines by court decisions on infringers maybe levied from Tunisian Dinar (TD) 5,000 (=US\$ 3,700) to TD 50, 000(=US\$ 37,000).

Use of a trademark within a period of 5 years is a must by Law. All trademarks registered before the issuance of this Law must be used within 5 years from its issuance date.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

## Tunisia Office

**Premises:** Appt. B. 3.2, 7 Rue 8002, Montplaisir, Tunis 1002  
**P.O. Box:** 1, 1073 Montplaisir, Tunis, Tunisia  
**Tel:** (216) 71 846 142 / 71 841 024 / 71 848 499 / 71 844 621  
**Fax:** (216) 71 849 665  
**Email:** agip.tunisia@tagi.com  
**Website:** www.agip.com  
**Contact:** Mr. Fathi Abu-Nimeh

Fathi Abu-Nimeh of Abu -Ghazaleh Intellectual Property - TMP Agents  
PO Box 1, 1073, Montplaisir, Tunis, Tunisia

## Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Five prints of the mark.
3. The list of the goods and/or the services (classes) covered by the application in French.
4. A certified copy of the priority document must be submitted, in case it is claimed.

## Renewal Applications

1. A simply signed power of attorney.
2. The number, date and list of the goods of the trademark registration.

## Assignment Applications

1. A simply signed power of attorney by the assignee.
2. A deed of the assignment executed by the assignor and assignee together with its sworn French or Arabic translation.

## License Applications

1. A simply signed power of attorney by the licensee.
2. A license agreement executed and sealed by both parties together with its sworn French or Arabic translation.

## Recordal of Change of Name

1. A simply signed power of attorney.
2. A certificate proving the change of name or an extract from the Commercial Register translated into French or Arabic.

## Recordal of Change of Address

A simply signed power of attorney showing the new address.

## Merger Applications

1. A simply signed power of attorney.
2. A certificate of merger by the Tunisian Consulate together with its sworn French or Arabic translation.

*Note: Notarization and/or legalization of all above-mentioned documents are not required.*

## Summary of the Patent Registration System

Once an application for the registration of a patent is filed, it is examined as to form only. The Tunisian Patent Office does not carry out any examination as to novelty or merit of the invention.

A patent application is published in the Al-Muwasafat quarterly gazette published by the Institut National de la Normalisation et de la Propriete Industrielle (INNORPI), together with a summary of the contents thereof. The grant of a patent is also published. There are no provisions in the law as to appealing the decisions of the Registrar.

The provisions of the Patent Law in Tunisia stipulate that a patent application should be filed before the invention has been published, or used, or has otherwise received sufficient publicity to allow it to be put into practice either in Tunisia or abroad.

A patent is valid for twenty years as from the date of filing the patent application. Annuities are payable as from the date of filing. Annuities are payable in the anniversary date of filing. A late fine, which may be calculated at the rate of 8% of the due annuity, is payable when the annuity is paid within the six months grace period, per annuity and per month.

The right to a patent may be assigned or transferred through succession. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been entered in the relevant records of the Patent Office.

Working of patents in Tunisia is an official requirement. Working must be effected within four years as

from the date of filing or three years as from the date of the grant of the patent.

As of the December 10, 2001, Tunisia became a member of the Patent Cooperation Treaty (PCT). Any international application made as of December 10, 2001 may designate Tunisia.

## Requirements Patent Applications

1. A simply signed power of attorney.
2. Three copies of the specification in French.
3. Three sets of the formal drawings.
4. A certified copy of the basic application is required when filing a convention application. The priority document should be submitted within 90 days as from the date of application.

If the assignee applies, it is preferable to file the deed of assignment of priority right signed by the holder of the basic application.

Regarding PCT applications, the international preliminary report as well as the publication sheet showing Tunisia among the designated states must be submitted.

*Note: According to the Tunisian Patent Office procedures, specification and claims of a patent application may be filed in English, French or Arabic.*

## Assignment Applications

1. A simply signed power of attorney by the assignee.
2. A deed of the assignment executed by the assignor and assignee together with its sworn French or Arabic translation

## License Applications

1. A simply signed power of attorney by the licensee.
2. A license agreement executed and sealed by both parties together with its sworn French or Arabic translation.

## Recordal of Change of Name

1. A simply signed power of attorney.
2. A certificate proving the change of name or an extract from the Commercial Register translated into French or Arabic.

### Recordal of Change of Address

A simply signed power of attorney showing the new address.

### Merger Applications

1. A simply signed power of attorney.
2. A certificate of merger by the Tunisian Consulate together with its sworn French or Arabic translation.

*Note: The Tunisian authorities accept patent applications and documents in French, English or Arabic.*

### Summary of the Design and Industrial Models Registration System

Tunisia is a member of the Hague Agreement Concerning the International Registration of Industrial Designs of 1925. Designs and industrial models are protectable through registration with the competent authority; the Institut National de la Normalisation et de la Propriete Industrielle (INNORPI). Such registration is effected without novelty examination at the applicants responsibility.

A design or an industrial model registration is granted for five, ten or fifteen years starting from the date of filing the application. A registrant for the shorter terms has the option of applying for the extension of the protection period by the maximum duration of fifteen years.

A registration of a design or an industrial model is subject to cancellation in the event any interested party requests such a cancellation before the competent tribunal, provided that the contestant has also filed an application for the same design or model.

The registration, assignment and cancellation of design and industrial model registrations are published in the Al-Muwassafat quarterly gazette and entered in the designs register.

There is no provision in the current Tunisian law as to working or compulsory licensing with respect to designs and industrial models. Any infringement or unauthorized use of a registered design or industrial model is punishable under the current law in Tunisia.

### Requirements Design Applications

1. A simply signed power of attorney.
2. Four representations (photocopies, photographs

or drawings) of the design.

3. Four copies of the inscription (if necessary).

### Assignment Applications

1. A simply signed power of attorney by the assignee.
2. A deed of the assignment executed by the assignor and assignee together with its sworn French or Arabic translation.

### License Applications

1. A simply signed power of attorney by the licensee.
2. A license agreement executed and sealed by both parties together with its sworn French or Arabic translation.

### Recordal of Change of Name

1. A simply signed power of attorney.
2. A certificate proving the change of name or an extract from the Commercial Register translated into French or Arabic.

### Recordal of Change of Address

A simply signed power of attorney showing the new address.

### Merger Applications

1. A simply signed power of attorney.
2. A certificate of merger by the Tunisian Consulate together with its sworn French or Arabic translation.

### Summary of the Copyright Registration System

Copyright Law No. 36 of 1994 governs the protection of copyright in Tunisia. Tunisia is a member to the Berne Convention for the Protection of Literary and Artistic Works. Although the Law was published in the Official Gazette in 1994, but until now, no procedure has been implemented for registering copyright.

Protection is granted to authors of literary, artistic and scientific works whatever the value, kind or purpose or way of expression is. Generally, the protection is provided for the works whose means of expression is writing, sound, drawing, image or motion picture. It also includes creative titles and computer software

which are published, acted or displayed for the first time in Tunisia and maybe protected for the lifetime of the author plus 50 years following his/her death, not including software protection which is for 25 years from the grant.

The National Council for Culture is entitled to authorize documentary, translations, educational, cultural or scientific use under certain conditions.

The Civil Court prosecutes all copyright acts of contravention and is entitled to confiscate revenues and counterfeit copies.

## Summary of the Domain Name Registration System

Tunisian Authorities have since 1999 allowed for the registration of domain names for local companies. The registration can be made in a Native form or a Virtual form. According to the regulations, a domain name registration should actively rent a space for the website having IP numbers for a primary and secondary ISP.

The NIC has no legal obligation to screen domain name registrations and operates a 1st come 1st register body. Any legal disputes are forwarded to the courts and are governed by the Common Law; neither less may request proof of ownership of the name, by a trademark registration or a company name. Proof that an agent for that name in the country has to be recorded.

Once a court order is issued to cancel the domain name, the NIC will abide by the order to cancel or amend a name. Domain names are non-transferable once registered to an entity unless said entity is bought out or merges with another entity. If an entity is dissolved, the domain names owned by that entity will be reallocated. Domain name has to be renewed yearly or loss of rights will occur.

The Tunisian Internet Agency is the local registry for the Top Level Domain Name: (TLD) .tn for Tunisia. The second level domain name available under .tn includes:

**.com.tn**  
for commercial companies

**.intl.tn**  
or companies working under international treaties

and foreign diplomatic representatives

**.gov.tn**  
ministries, governorates, municipalities, Tunisian diplomatic representatives abroad

**.org.tn**  
non-governmental organizations, non-profit organizations, and societies

**.ind.tn**  
industrial companies, industrial groups, and chambers of commerce and industry

**.nat.tn**  
national companies, national institutes, national offices, and national agencies

**.tourism.tn**  
hotels, restaurants, travel agencies, tour operators, car rental offices, and companies working in the tourism field

**.info.tn**  
written press, television, and radio

**.ens.tn**  
private secondary education institutes, and private higher education institutes

**.fin.tn**  
financial institutions, banking institutions, and insurance companies

**.net.tn**  
operators of networks and telecommunications

## Requirements

1. Company name and address.
2. A simply signed power of attorney.
3. A letter requesting the Domain name registration and it must be on an official letterhead.
4. Copy of the managing director identity card.
5. Copy of the technical supervisor identity card.
6. Certified copy of the commercial registry translated into French.

# TURKEY

## Summary of the Trademark Registration System

The Turkish Republic is a member to the Paris Convention for the Protection of Industrial Property, and is also a party to the Madrid Protocol. Being a member to the Nice Agreement, the International Classification of Goods and Services for the Purposes of the Registration of Marks is followed in Turkey, and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002. Multi-class applications are possible for both goods and services.

Once a trademark application is filed, it is examined as to its registrability. Upon examination, if the Trademark Registrar rejects a mark, an appeal maybe submitted within two months from the date of rejection. Once a trademark application is accepted by the Registrar, it is published in the Official Gazette.

Any interested party may file a notice of opposition to the registration of the mark within three months from the publication date. The Registrar's decision concerning the opposition may be appealed to the Committee 'Re-Examination and Evaluation board' and the Committee's decision to the competent court. In the absence of opposition, a trademark is registered and the relative certificate of registration is issued. A trademark registration is valid for 10 years as from the date of filing the application renewable for similar periods. The renewal fees of a trademark registration can be paid during the last six months of the final year of the protection period. A grace period of 6 months is allowed for late renewal with a fine.

The ownership of a registered trademark can be assigned with the goodwill of the commercial enterprise. Unless an assignment has been recorded in the register and published in the Trade Mark Gazette, the assignment shall have no effect vis-à-vis third parties. Changes in the name and/or address of the

## Turkey Office

**Premises:** Tunus Cad. No. 15, 3rd Floor  
Ankara 06680 Turkey

**PO Box:** KAVAKLIDERE 06680 ANKARA, TURKEY  
**Tel:** 90 - 312 - 4176095  
**Fax:** 90 - 312 - 4170091

**Email:** agip.turkey@tagi.com  
**Website:** www.agip.com  
**Contact:** Ms. Afaf Shashara

registrant must be recorded in order to protect rights. Registered user agreements, licenses, and amendments which do not affect the identity of the mark substantially, limitation of the list of goods and/or services covered by a trademark registration can be recorded as well.

Use of a trademark is not compulsory for filing application neither for registration nor for maintaining the registration in force. However, any interested party may request the court to cancel a trademark registration if the owner fails to use such a trademark in Turkey for 5 consecutive years from the date of registration.

Illegal use of a registered trademark by an unauthorized person, use of a forged or counterfeit trademark, application to one's goods, a registered trademark belonging to another party in bad faith, dealing in products bearing a forged or counterfeit trademark, rendering services under a forged or counterfeit trademark, and use of a trademark that falls under certain categories of unpredictable marks are offenses punishable under the law in Turkey.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property, TMP - AGENTS  
TUNUS Cad. No. 15/3 Kavaklidere 06680 Ankara,  
Turkey

### Trademark/Service Mark, Collective Marks Applications

1. A simply signed power of attorney.
2. Five prints of the trademark (not required for



word marks).

3. The list of the goods/services and the classes pertaining thereto.
4. A certified copy of the priority document, which can be submitted within three months from the date of filing, in the case that it is claimed.

*Note: the aforementioned documents must be submitted with the application at the time of filing.*

### **Renewal of Trademark/Service Mark Registrations**

1. A simply signed power of attorney for each application.
2. The number and date of the registered trademark/service mark.
3. The name, address, and nationality of the applicant.

### **Assignment or Merger Recordals**

1. A notarized power of attorney signed by the assignee.
2. A duly notarized deed of assignment signed by the assignor and the assignee, merger document.
3. The name, address, nationality, and profession or nature of business of the assignee.
4. The number and date of registered trademark/service mark.

### **License Recordals**

1. A notarized power of attorney by the licensee.
2. A notarized license agreement executed by both parties.
3. The name, address, nationality and profession or nature of business of the licensee.
4. The Original Trademark certificate for endorsement purposes.

### **Change of Name/Address Recordals**

1. A simply signed power of attorney.
2. A notarized certificate of the change of name or address.
3. The number and date of registered trademark/service mark.
4. Original Trademark certificate for endorsement purposes.

## **Summary of the Patent Registration System**

Turkey is a member to the Paris Convention for the Protection of Industrial Property and a party to the Patent Cooperation Treaty (PCT) as of January 1, 1996 and the European Patent Convention as of November 1, 2000.

Once an application for the grant of a patent is filed, it is examined with respect to compliance with formalities and patentability provided for under the Patent Law including the novelty, inventiveness (state of art) and industrial application. The Institute examines the compliance of the application to the formal requirements. Should the examination results reveal that the application suffers formal deficiencies, or that the invention is not subject to patent protection, the examination procedure is suspended and the applicant is requested to remedy the deficiencies or to notify the Institute his objections within the period set forth in the Regulations.

Should the examination conducted by the Institute shows no deficiency as to formal requirements or when any such deficiency has been duly remedied and completed in accordance with the requirements, the Institute shall inform the applicant that the request, if not filed earlier, for conducting the search on the State-of-the-Art, is to be filed within 15 months from the filing date. In the absence of opposition, the letters patent or the utility certificate is issued.

Within 15 months from the date of filing the application, the applicant shall request the Institute to conduct the search on the State-of-the-art where priority is claimed, such period (15 months) runs as from the date of priority. Failure to take action causes the lapse of the application.

After receiving the search report, the applicant must decide within three months whether to proceed with substantive examination or to request the grant of a patent without said examination or as a result of deferred-examination for a period of seven years. The patentee of a non-examined patent or any third party may request before the expiration of a seven-year term (from the filing date), that the prosecution for the substantive examination resume in order to obtain a patent for duration of twenty years.

Should the applicant request a Substantive Examination; the applicant shall request the Institute to

conduct the examination after the six months following the publication of the State-of-the-art Search Report, where third parties may raise objections to the grant of the patent.

The Institute shall notify the applicant of the examination report it has established, as to the deficiency or meeting of patentability requirements of the application, and shall grant the applicant six months for him to rectify the deficiency, or to amend the claim(s) and to object to it. During the prosecution of the granting procedure, amendment of claims to the rectify obvious errors such as spelling errors, providing of incorrect/inappropriate documents, the claim(s) may be amended only during the prosecution of the granting procedure. Also, the transformation of a Patent application into a utility model application is possible.

The Institute shall reach its final decision after examining the applicant's observations and, if any, the amendments made in the application. The decision of the Institute may consist of granting the patent for all or part of the claims. The application shall be open to public upon its publication, after elapsing of a period of eighteen months from the date of filing the application or, if any, from the date of the claimed priority.

A patent is valid for 20 years, and a utility certificate is valid for 10 years. Annuities are to be paid during the final three months of each year of the protection period. However, late payment of the annuities with a surcharge is allowed within 6 months from the lapse of the annuity due date. It is possible to pay the annual fees in advance to cover the whole or a part of the validity period in advance.

The right to a patent may be assigned or licensed. An assignment shall have no effect against third parties unless it has been recorded at the Patent Office and published in the Official Gazette.

## Requirements Patent Applications

1. A simply signed power of attorney.
2. Specification, claims and abstract (in about 100 words) in the Turkish language. One copy in English, French or German is needed for translation purposes.
3. Formal drawings, if any. (3 sets)
4. The particulars of the corresponding foreign application.
5. A certified copy of the basic application as filed along with its translation if priority rights are

to be claimed.

6. Deed of Assignment (or proof of assignment) from the investors to the applicant.

*Note: As per the current practice of the Turkish Patent Institute (TPI), the report on the State-of-the-Art (RSA) must be requested within fifteen months as of the application date or priority date. The search on the State-of-the-Art is carried out in an office accepted as searching authority.*

FOR PCT applications entering the national phase in Turkey, a copy of the PCT application and examination report must be submitted with the application.

## Patent Annuities

1. A simply signed power of attorney for each application. (If we are not the agents on record)
2. The number and date of filing of the patent / design.
3. The name, address, and nationality of the applicant.

## Assignment Applications

1. A simply signed power of attorney by the assignee.
2. A duly notarized deed of assignment signed by the assignor and the assignee.
3. The name, address, nationality, and profession or nature of business of the assignee.
4. The number and date of registered patent.

## License Applications

1. A simply signed power of attorney by the licensee.
2. A notarized license agreement executed by both parties.
3. The name, address, nationality, and profession or nature of business of the licensee.

## Summary of the Design and Industrial Models System

Designs and industrial models are protectable in Turkey through registration with the competent office. The International Classification of Locarno is effective in Turkey as of November 30, 1998.

Once an application for the grant of a design is filed, it is examined with respect to compliance with formalities and patentability provided for under the Design Law including the novelty, and distinctiveness.

(Novelty is defined by law as a design is considered new if, before the date of application or priority (if any), no identical design has been made available to the public anywhere in the world.)

Examination is conducted only in form by the Turkish Patent Institute prior to the registration. Designs allowed for registration are published and thereby become open to opposition for a period of six months. However, at the request of the applicant, the publication may be postponed for up to thirty months from the filing date. If opposition by third party is justified, the design is not registered.

The registered design is protected for five years as from the filing date. This period may be renewed four times and the total protection period is twenty-five years. The renewal application may be filed during the last six months of the five-year-period of protection. However, it may also be renewed with fine, within six months from the expiration of the protection period.

The registration, assignment and cancellation of design and industrial model registrations are published in the Official Gazette and entered in the register.

## Requirements

### Design Applications

1. A notarized power of attorney.
2. The information on how the applicant has acquired the right to apply for a design from the designer.
3. Priority document. If priority is claimed, number, date and country of the application are required.
4. Drawing(s) or painting(s), graphic, photographic or other similar representations of the designs suitable for reproduction and reflecting all of its features, 20 pictures 8x8 cm size.
5. Description related to the design and products to which the design is to be incorporated.
6. A notarized signature circular where the applicant is a legal person (if possible).  
In case of multiple applications, separate descriptions and representations of the design should be submitted.

### Design Annuities

1. A simply signed power of attorney for each application. (If we are not the agents on record).
2. The number and date of filing of the patent / design.
3. The name, address, and nationality of the applicant.

## Summary of the Copyright Registration System

The Copyright Law No. 5846 in 1951 amended by Law No. 4630 on February 21, 2001, allows for copyrightable works in general and computer software in particular. Turkey is also a party to the Berne Convention for the Protection of Literary and Artistic Works (Paris Act) and the TRIPS.

Original works of literature, art and science, regardless of type, importance or purpose are protected. This includes works of art expressed in writing, sound, drawings, photography and motion pictures, such as books, writings, speeches, oral works, plays, dramatic works, musical compositions, films, phonographic works, applied art, 3-D works and computer programs are protected for the lifetime of the author plus 70 years following his/her death.

In order for protection to be effective, the work of art is to be original and includes personal efforts, innovation and new arrangement.

Any enforcement of the law is through the courts of Turkey.

## Summary of the Domain Name Registration System

Any legal entity that is established in any country can apply for a domain name in Turkey. There is no limit to the number of the names that an entity can register so long as it is able to provide the documentation needed to register the domain names. Only a second-level domain name can be registered (i.e., com.tr, net.tr, mil.tr, gov.tr, edu.tr, etc).

The requirements are: a copy of the trademark/name registrations as well as a simply signed standard form of registration. These documents should be submitted within (15) days from the filing date to avoid the cancellation of the domain name registrations.

A Trademark application can be also acceptable for applying to a domain name, provided that both applications have to be identical. In case of any rejection to the Trademark application, the domain name shall be canceled within 30 days from that event.

The Middle East Technical University is the ccTLD registry in Turkey responsible for Turkey's name space.

Entities are also allowed to reserve the domain names

by writing "reserve" to the name server and IP number fields on the application form. The form may be amended for an active use of the name later on.

A domain name may include a maximum of (12) and a minimum of (2) characters containing letters, numbers and/or (-). There is a period of one-year opposition to a new domain name registration.

It is worth noting that the party requesting registration of this name certifies that, to her/his knowledge, the use of this name does not violate trademark or other statutes. Registering a domain name does not confer any legal rights to that name and any disputes between parties over the rights to use a particular name are to be settled between the contending parties using normal legal methods.

## Requirements

1. A simply signed authorization form to register the applicant's domain names printed on the Company's letterhead and stamped with the Company's stamp (Original is required).
2. Trademark registration certificate or the company's commercial registration certificate.

# UNITED ARAB EMIRATES

## Summary of the Trademark Registration System

The United Arab Emirates (UAE) is a member to the Paris Convention for the Protection of Industrial Property. The International Classification of Goods and Services for the Purpose of the Registration of Marks (Nice Classification, 8th edition) is followed in the UAE and the revision of class 42 with the creation of classes 43 to 45 has been adopted as of January 1, 2002.

Federal Law No. 8 for the year 2002 amended some articles of the Federal Law No. 37 for the year 1992. The Law covers the seven Emirates of Dubai, Abu-Dhabi, Sharjah, Ras Al-Khaimah, Ajman, Fujairah and Umm Al-Quwain. A separate application has to be filed with respect to each class of goods or services. A certified translation of the trademark is to be submitted as well.

Once a trademark application is filed, it is examined as to its registrability. Trademark applications accepted by the Registrar are published in the Trademark Journal as well as in two local daily Arabic newspapers and the cuttings of the notices are to be submitted to the Trademark Office. Any interested party may file a notice of opposition to the registration of the mark within 30 days from the date of any publication. The Registrar's decision concerning the opposition may be appealed to the Committee and the Committee's decision to the competent court. In the absence of opposition, a trademark is registered and the relative certificate of registration is issued.

A trademark registration is valid for 10 years as from the date of filing the application renewable for similar periods. The renewal fees of a trademark registration can be paid during the final year of the protection period.

## United Arab Emirates Office

**Premises:** Mohammad Abdel-Rahman Al-Bahar Building, 3rd floor, Entrance No.II

**P.O. Box:** 1991 Deira, Dubai, United Arab Emirates

**Tel:** (971-4) 268 2192 (4 Lines)

**Fax:** (971-4) 268 2282

**Email:** [agip.uae@tagi.com](mailto:agip.uae@tagi.com)

**Website:** [www.agip.com](http://www.agip.com)

**Contact:** Mr. Amjad Al-Husseini

A grace period of 3 months is allowed for late renewal with a fine. The renewal of a trademark is also published in the Trademark Journal and in two local daily Arabic newspapers. The ownership of a registered trademark can be assigned with or without the goodwill of the commercial enterprise. Unless an assignment has been recorded in the register and published in the Trademark Journal, the assignment shall have no effect vis-à-vis third parties. Changes in the name and/or address of registrant must be recorded in order to protect rights. Registered user agreements, license and amendments which do not affect the identity of the mark substantially, limitation of the list of goods and/or services covered by a trademark registration can be recorded as well.

Use of a trademark is not compulsory for filing application for registration or for maintaining the registration in force. However, any interested party may request the court to cancel a trademark registration, if the owner fails to use such a trademark in the United Arab Emirates for 5 consecutive years from the date of registration.

Illegally and/or unauthorized use of a registered trademark by any third party, use of a fake or counterfeit trade/service mark, application to one's goods, a registered trademark belonging to another party in bad faith, dealing in goods bearing a fake or counterfeit trademark, rendering services under a fake or counterfeit service mark, and use of a trademark that falls under certain categories of unregistrable marks are offenses punishable under the law in the United Arab Emirates.

According to the decree No. 12 for 2002 issued by the Ministry of Trade and Commerce on February 3, 2002, payment of registration fees should be paid within 60 days from the date of expiry of the opposition period or the date of receiving a decision from the



Trademark Office (TMO) regarding an opposition (if any). Based on this, our invoice covering registration charges will be issued upon receiving notice of acceptance and should be settled within the deadline in order to attend the payment of the official fees to the TMO.

### Filing Requirements

#### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu - Ghazaleh Intellectual Property - TMP Agents  
PO Box 1991 Deira, Dubai, United Arab Emirates

#### Trademark/Service Mark Applications

1. A power of attorney duly legalized up to the Consulate of the UAE.
2. Twenty prints of the trademark/service mark. (Size: 6 cm x 6 cm).
3. A certified copy of the home/foreign application/registration, if priority is claimed.

#### Collective Mark Applications

1. A power of attorney duly legalized up to the Consulate of the UAE.
2. Twenty prints of the trademark/service mark. (Size: 6 cm x 6 cm).
3. A certified copy of the home/foreign application/registration, if priority is claimed.

#### Quality Control Marks Applications

1. A power of attorney executed by the applicant duly notarized and legalized up to the UAE. It is necessary to submit the legalized power of attorney at the time of filing the application.
2. Certified and legalized copies of the articles of incorporation of the legal persons who take care of the quality control and testing stating the amendments that have been made to the regulations.
3. The Ministers approval to the registration of the mark. This will be obtained at our end.
4. Two copies of the list of goods to which the mark is used for the testing measures with a mention to their specifications and quality.
5. A list of the persons who are going to use the mark.
6. Two copies of the rules, which the applicant follows in quality control and testing measures

stating the amendments made thereto. It is possible to amend the rules of use after filing.

7. Twenty prints of the mark to be registered. (Size 6cm×6cm).
8. List of goods or services to be covered.
9. A legalized copy of the application filed for the mark, in case of claiming priority.
10. Meaning of the mark, if any or its origin.

#### Renewal of Trademark/Service Mark Registrations

1. A power of attorney duly legalized up to the Consulate of the UAE.
2. A copy of the certificate of registration of the trademark.

#### Assignments Applications

1. A power of attorney executed by the assignee and duly legalized up to the Consulate of the UAE
2. A duly legalized deed of assignment executed by both parties.
3. The original certificate of registration of the mark.

#### Registered User/License Applications

1. A power of attorney in the name of the licensee duly legalized up to the Consulate of the UAE.
2. A legalized copy of the license agreement executed by both parties.
3. The original certificate of registration of the mark.

#### Change of Name/Address Applications

1. A power of attorney in the new name and/or address duly legalized up to the Consulate of the UAE.
2. A legalized certificate proving the change of name or address issued by the local competent authority of the applicant's domicile.
3. The original certificate of registration of the mark.

#### Agency Agreements

1. A power of attorney legalized up to the Consulate of the UAE.
2. For individual merchants, two copies of the following:
  - a. The commercial permit.
  - b. The entry in the commercial register.

- c. The commercial agency agreement duly legalized up to the Consulate of the UAE.
- d. The Arabic translation duly notarized if the agency contract is not in the Arabic language.
- e. The agent's entry or identification card.
- f. The powers of attorney duly notarized.
- g. Two copies of the declaration.

**Notes:**

1. *The originals have to be shown for checking when submitting the application.*
2. *The application is to be submitted in two copies each one in a separate file.*
3. *For companies:*
  - a) *All that was mentioned above in No. 2 and extracts of entries for all the partners or certificates from the Migration, Nationality and Passports Department stating that they are nationals.*
  - b) *Two copies of the Memorandum of Association and Articles of Incorporation duly legalized.*

## Summary of the Patent Registration System

Once an application for the grant of a patent is filed, it is examined with respect to compliance with formalities and patent ability provided for under the Patent Law including the novelty, inventiveness and industrial application. In case of rejection, the applicant has the right to appeal to the committee within 60 days as of the date of receiving the notification of rejection.

The accepted applications are published in the Official Gazette and any interested party has the right to appeal to the Committee within 60 days as of the date of publication in the Official Gazette. In the absence of opposition, the letters patent or the utility certificate is issued. However, it is worth mentioning that the committee has not been formed yet.

Federal Law No. 44 for the year 1992 pertaining to the Industrial Regulation and Protection of Patents, Industrial Drawings, and Designs was replaced by Federal Law No. 17 for the year 2002. As per the new Law, a patent is valid for 20 years. A utility certificate is valid for 10 years.

The payment of annuities can be made on or before the due date at any time and for any number of years. However, annuities can still be paid during the three months after the due date without late payment fee and another 3 months with a late payment fee (total grace period is six months).

The right to a patent may be assigned or licensed. An assignment shall have no effect against third parties unless it has been recorded at the Patent Office and published in the Official Gazette.

Working of patents in the United Arab Emirates is an official requirement. If the owner of a patented invention does not satisfy the stipulated working requirements within 4 years from the filing date, or the owner refuses to license it under a contract of fair terms, then the patent will be subject to compulsory licensing under the provisions of the law.

Although the law does not have any stipulation of novelty except the mention of 'new', the Implementing Regulations require the administration to examine the patent as to its novelty, i.e., the new invention has no precedence in the industrial prior art. The industrial prior art means all that was disclosed to public anywhere at any time whether by written, oral disclosure or by use or any other method which allows the understanding of the invention.

Technical know-how is protected from any unauthorized use, breach or disclosure. Infringement of the rights of a patentee is punishable under the provisions of the law.

The United Arab Emirates is party to the Gulf Cooperation Council Patent Office. Further it has joined the Patent Cooperation Treaty (PCT) as of March 10, 1999, thereby patents may be deposited within the National Phase of PCT.

## Requirements Patent Applications

1. A power of attorney duly legalized up to the UAE Consulate.
2. A duly legalized extract from the Commercial Register or from the Memorandum of Association if the applicant is a company or body corporate.
3. One copy of the English specification and claims together with its Arabic translation.
4. One set of the drawings relating to the invention, if any.
5. An abstract of the invention of no more than 200 words, together with the best explanatory diagram.
6. A duly legalized deed of assignment signed by the inventor, if the applicant is not the inventor.
7. A certified copy of the application giving the filing date, number and country if the application is to be filed with a priority claim.

Please note that the documents in item (3,4 and 5) should be submitted at the Patent Office on the filing date of the application, while documents in items (1,2, 6 and 7) can be submitted within 90 (strictly non-extendible) days from the filing date of the Patent Application.

For PCT applications entering the national phase in the UAE, a copy of the PCT international publication search and examination reports must be submitted with the application

### Assignment Applications

1. A power of attorney executed by the assignee and duly legalized up to the Consulate of the UAE.
2. A duly legalized deed of assignment executed by both parties.
3. A duly legalized Certificate of Incorporation of the assignee.

### Registered User/License Agreement Applications

1. A power of attorney executed by the licensee and duly legalized up to the Consulate of the UAE.
2. A duly legalized license agreement executed by both parties.

### Change of Name/Address Applications

1. A power of attorney in the new name and/or address duly legalized up to the Consulate of the UAE.
2. A legalized certificate proving the change of name or address issued by the local competent authority of the Applicant's domicile

### Agency Agreements

1. A power of attorney legalized up to the Consulate of UAE
2. For individual merchants, two copies of the following:
  - a. The commercial permit.
  - b. The entry in the commercial register.
  - c. The commercial agency agreement duly legalized up to the Consulate of the UAE.
  - d. The Arabic translation duly notarized if the agency contract is not in the Arabic language.
  - e. The agent's entry or identification card.
  - f. The powers of attorney duly notarized.
  - g. Two copies of the declaration.

### Notes:

1. The originals have to be shown for checking when submitting the application.
2. The application is to be submitted in two copies each one in a separate file.
3. For companies
  - a) All that was mentioned above in No. 2 and extracts of entries for all the partners or certificates from the Migration, Nationality and Passports Department stating that they are nationals.
  - b) Two copies of the Memorandum of Association and Articles of Incorporation duly legalized.

### Summary of the Design and Industrial Models Registration System

Federal Law No. 44 for the year 1992 pertaining to the Industrial Regulation and Protection of Patents, Industrial Drawings, and Designs was replaced by Federal Law No. 17 for the year 2002.

The examination procedure for designs and industrial models is the same as that for patents. A design or industrial model registration is valid for 10 years.

The payment of annuities can be made on or before the due date at any time and for any number of years, however, annuities can still be paid during the three months after the due date without late payment fee and another 3 months with a late payment fee (total grace period is six months).

### Requirements Design Applications

1. A power of attorney duly legalized up to the UAE Consulate.
2. A duly legalized extract from the Commercial Register or from the Memorandum of Association if the applicant is a company or body corporate.
3. Two copies of the model or design if it is two-dimensional or two copies of each view thereof, if it is three-dimensional.
4. A duly legalized deed of assignment signed by the inventor, if the applicant is not the inventor.
5. A certified copy of the priority document if it is to be claimed.

Please note that the documents in item (3) should be stipulated at the Patent Office on the filing date of the application, while documents in items (1,2,4 & 5) can be submitted within 90 (strictly non-extendible) days from the filing date of the Design Applications.

It is worth mentioning that the Patent Office in the UAE is only accepting applications. Examination of filed design applications has yet to start, and therefore, no designs have been granted yet.

The UAE Patent Office has recently started examining patent applications through the Austrian Patent Office. The UAE Patent Office is currently transferring applications filed in 1998.

### Assignment Applications

1. A power of attorney executed by the assignee and duly legalized up to the Consulate of the United Arab Emirates.
2. A duly legalized deed of assignment executed by both parties.
3. A duly legalized Certificate of Incorporation of the assignee.

### Registered User/License Agreement Applications

1. A power of attorney executed by the licensee and duly legalized up to the Consulate of the UAE. A duly legalized license agreement executed by both parties.
2. both parties.

### Change of Name/Address Applications

1. A power of attorney in the new name and/or address duly legalized up to the Consulate of the UAE.
2. A legalized certificate proving the change of name or address issued by the local competent authority of the Applicant's domicile.

### Summary of the Copyright Registration System

Copyrights can be protected under Federal law No. 7 of the year 2002 concerning Copyrights and Neighboring Rights, which replaced Federal Law No. 40 of the year 1992 for the protection of Intellectual Works and Copyrights.

For obtaining protection, copyrightable works will have to be deposited with the Ministry of Information and Culture. Protection is granted to authors of literary, artistic and scientific works of whatever the value or kind or purpose or way of expression is. Generally, protection is provided for the works whose means of expression is writing, sound, drawing, image, motion pictures, creative titles or computer software. Translation of original works is also protected.

The duration of the protection is for the lifetime of the author plus 50 years after his death or 50 years from the date of publication, in the cases of cinematographic works, works of corporate bodies, works published for the first time after the death of the author.

The Law reserves the right to allow reproducing protectable works by means of photocopying without obtaining the authors permission by public libraries, non-commercial documentation centers and education, cultural and scientific institutions, provided that the number of 50 copies reproduced is limited to their needs and not detrimental to the interests of the author.

Enforcing authority is the officers with judicial police powers selected on the strength of a decision by the Minister of Justice in coordination with the Minister of Information and Culture. An unauthorized publication of an authors works of art is penalized by imprisonment and/or a fine not less than 50.000 Dirhams. A publisher who contravenes the authors instructions through unauthorized addition, omission or modification shall be punished by imprisonment and/or a fine not less than 10.000 Dirhams.

### Copyright Applications

1. Statement containing full description of the work.
2. Identification documents of the applicant, in case the application is not the author of the work or if an agent procures the application.
3. Written declaration by the author, or his heirs, upon his death, evidencing his or their ownership of the work.
4. Written statement made by the author, or his heirs, upon his death for publication of the work, or by his heirs, if the author did not state in his will another way of publication.
5. Rights in exploiting the work according to Article (37) and (32) of the law, if the application has been filed by the assignee.
6. Written permission from the original author or his heirs, upon his death, if the subject works is deviated from the original work in any way whatsoever, in manner which makes it look novel according to Article (5) of the law.
7. The contract concluded between the author and natural or legal person under whose instructions and name of the work was produced and published in accordance with the provision of Article (24), if the said person filed the application.

8. A certificate of entry in the register of commercial agencies at the Ministry of Economy and Commerce in case there is a local agent in the country for the foreign product.
9. A certificate from the Censorship Department at the Ministry approving the work in accordance with the provision of the Printing of the Publication Law.
10. Ten copies of the work that could be reproduced through printing or any other means.

### Remarks

The document in item (2), (3), (4), (5), (6) and (7) must be legalized up to the United Arab Emirates Consulate and accompanied with an Arabic translation in case the text is produced in any other language. This is in addition to item No. (1). Applications can be filed if attached to the document mentioned in items (1), (9) and (10) if the applicant undertakes to submit the remaining documents required.

### Summary of the Domain Name Registration System

The United Arab Emirates Network Information Center (UAEnic) is the local registry of the Top Level Domain Name (ccTLD) ".ae" and Second Level Domain Names under ".ae", which include:

.ae	for commercial companies
.net.ae	for network providers
.org.ae	for non-profit organizations
.gov.ae	for government and ministries
.ac.ae	for colleges, universities or academic institutes
.sch.ae	for public and private schools
.pro.ae	for professionals

### Requirements

1. Authorization letter on the applicant's letterhead authorizing Abu-Ghazaleh Intellectual Property to register domain names in its name in the UAE, listing the domain name(s) to be registered.
2. In case the requested domain name(s) is different or irrelevant to the applicant name or its initials, a copy of the UAE Trademark Registration Certificate(s) should be supplied.



# YEMEN

## Yemen Office

**Premises:** 4th floor, Ishaq Building, Al-Zubairi Street, Sana'a, Republic of Yemen

**P.O. Box:** 2055 Sana'a, Republic of Yemen

**Tel:** (967-1) 240 899

**Fax:** (967-1) 263 053

**Email:** [agip.yemen@tagi.com](mailto:agip.yemen@tagi.com)

**Website:** [www.agip.com](http://www.agip.com)

**Contact:** Mr. Rami Alaini

## Summary of the Trademarks Registration System

A unified Intellectual Property Rights Law No. 19 of 1994 has been adopted by the Republic of Yemen. This Law repeals the Trademarks and Trade Names Law No. 45/1976 which was in force in the former Yemen Arab Republic, and Articles 1757-1927 relating to the protection of intellectual property rights of the Civil Law, which was in force in the Former People's Democratic Republic of Yemen.

In accordance with the decision of the Minister of Justice, the Trademarks Registry Office located in Aden has officially submitted all the files, registers and records relating to trademarks, patents, and designs, to the Registrar of Trademarks at the Ministry of Supply and Trade located in Sana'a with effect from November, 1995. Based on the above, all pending applications previously filed in former South Yemen will be handled by the Sana'a Office.

The International Classification of Goods and Services for the Purposes of the Registration of Marks (8th Edition) is followed in the Republic of Yemen. Trademarks covering alcoholic drinks are not registrable according to the Trademark Law. A separate application should be filed with respect to each class of goods and services. All documents shall be submitted within 30 days from the date of filing an application for registration. Failure to meet this deadline will result in considering the application as being relinquished by the applicant. According to regulations issued in October 1999, classes will be divided into subclasses. This does not effect protection, but is a regulatory procedure for filing and incurs extra fees.

Once a trademark application is filed at the Trademark Office, it is examined as to its registrability. Accepted trademark applications are to be published in the Official Trademark Gazette (Al-Tijarah). There is a

six-month period starting from the publication date open for filing an opposition to the registration of a trademark by any interested party. The notice of opposition should be submitted to the Registrar within the legal term. The opposition case is referred to the court, if not settled before the Registrar or if either party appeals the Registrar's decision. However, in the absence of opposition, or the opposition is rejected, the certificate of registration will be issued.

The validity of a trademark registration is for ten years as from the date of filing the application renewable for similar periods of 10 years each. The renewal application can be submitted during the last year of the current validity term. The Trademark Law provides for a three-month period for late renewal of a trademark, but such renewal application is subject to payment of a lateness fine.

The assignment of a trademark can be recorded once the trademark is registered. In fact, unless an assignment has been entered against the trademark in the register and published in the Official Gazette, the assignment shall not be effective vis-à-vis third parties. There is a provision in the law that the assignment of a trademark should be along with the goodwill of the business concern. Changes in the name or address of a registrant, amendment of a trademark and limitation of the list of goods covered by a registration can be recorded as well.

Use of trademarks in the Republic of Yemen is not compulsory for filing applications or for maintaining trademark registrations in force. However, a trademark is vulnerable to cancellation upon the request of any interested party who can establish that the trademark was not actually used during the five years immediately preceding the application for cancellation or that there was no bona fide use of the trademark on the goods in respect of which the trademark was registered. It is noteworthy that trade-

mark rights are acquired in the Republic of Yemen through registration and that a trademark becomes invincible if the registered proprietor has used it in the country for five years continuously.

Unauthorized use of a trademark registered under the law, an imitation of such trademark applied on goods of the same class, sale, storing for the purpose of sale, exhibiting for sale of goods bearing a counterfeit mark, or using a mark duly registered under the law by another person to serve the purpose of unauthorized promotion of goods of the same class are offenses punishable under the law in the Republic of Yemen.

## Filing Requirements

### Signatory

Please note that all Powers of Attorney should be completed in the name of the following signatory:

Abu-Ghazaleh Intellectual Property - TMP Agents  
PO Box 2055, Sana'a, Republic of Yemen

### Trademark/Service Mark Applications

1. A power of attorney legalized up to the Consulate of the Republic of Yemen.
2. A legalized copy of the certificate of incorporation or an extract of the commercial register which should include the name, address, date of incorporation and objectives of the corporation.
3. Fifteen prints of the trademark (Not required for word marks).

### Renewal of Trademarks

1. A power of attorney legalized up to the Consulate of the Republic of Yemen. (Not required for registrations handled through our Office).

### Assignment Applications

1. A power of attorney legalized up to the Consulate of the Republic of Yemen.
2. An assignment deed executed by both the assignor and the assignee and legalized up to the Consulate of the Republic of Yemen.

### Registered User/License Agreement Applications

1. A power of attorney executed by the licensee legal-

ized up to the Consulate of the Republic of Yemen.

2. A license agreement legalized up to the Consulate of the Republic of Yemen.

### Change of Name/Address Applications

1. A power of attorney legalized up to the Yemeni Consulate or any other Arab Consulate.
2. A copy of any document showing the change of name or address legalized up to the Yemeni Consulate.

## Summary of the Patent Registration System

Once a patent application is filed, it is examined as to compliance with formalities and patentability provided for under the Patent Law. The Patent Office may require whatever amendments necessary to bring the application into conformity with the law. In the event the applicant does not comply with the requests of the Patent Office within a given grace period or as authorized by the Registrar of patents, the Registrar will reject the application.

An applicant is entitled to appeal against the Registrar's request by means of submitting a petition to the High Court of Justice within one month as from the date of the Registrar's decision. Approved applications are published in the Official Gazette and are open to public inspection. Any interested party may oppose the grant of a patent within two months from the date of publication. The opposition notice is submitted to the Registrar of patents. Should no opposition against the grant of a patent be filed, a decision granting the patent is issued. The letters patent is granted after payment of the prescribed fees.

A patent is valid for fifteen years from the date of filing the application. Such validity is subject to payment of the prescribed renewal fees which should be paid before the expiration of the fourth, eighth, and twelfth years from the filing date or the convention filing date in case of priority applications.

Novelty is not limited to the country only. A novelty examination takes into consideration any specification previously lodged with the Patent Office or any patent previously registered.

The right to a patent may be assigned, transferred through succession or licensed. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties unless it has been published in

the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents is an official requirement. In the event that the owner of a patented invention does not satisfy the stipulated working requirements of the country within three years as from the date of grant, then the patent will be subject to compulsory licensing under the provisions of the law.

The rights conferred by a patent on the registered patentee expire on the lapse of the protection period as prescribed by the law, lawful assignment of the patent rights, final court decision to this effect, or non-payment of due renewal fees within three months after the respective due date.

Infringement of the rights of a patentee is punishable under the provisions of the current Patent Law.

*Note: For the time being, the Patent Office in Yemen is only accepting filing of patent applications, and no further actions such as examination, publication, granting, or annuities payment are taken on the application yet.*

## Requirements

### Patent Applications

1. A power of attorney executed in the name of the applicant and duly notarized and legalized up to the Yemeni Consulate.
2. A notarized and legalized deed of assignment by the Yemeni Consulate, if any, executed by the inventor(s), assigning the patent rights to the applicant.
3. One copy of the specification and claims together with its Arabic translation.
4. One set of the drawings relating to the invention, if any.
5. An abstract of the invention of no more than 100 words with an Arabic translation.
6. A certified copy of the priority documents for claiming priority.

### Assignment Applications

1. A power of attorney legalized up to the Consulate of the Republic of Yemen.
2. An assignment deed executed by both the assignor and the assignee and legalized up to the Consulate of the Republic of Yemen.

### Registered User/License Agreement Application

1. A power of attorney executed by the licensee legalized up to the Consulate of the Republic of Yemen.
2. A license agreement legalized up to the Consulate of the Republic of Yemen.

### Change of Name/Address Applications

1. A power of attorney legalized up to the Yemeni Consulate or any other Arab Consulate.
2. A copy of any document showing the change of name or address legalized up to the Yemeni Consulate.

## Summary of the Design and Industrial Models Registration System

The validity of a design registration is for five years, but is renewable for two similar periods. An application in respect of a design or an industrial model is submitted to the registry along with its supporting documents. All documents shall be submitted within 30 days from the date of filing an application for registration. Failure to meet this deadline will result in considering the application as being relinquished by the applicant. The Registrar notifies the applicant of the receipt of his application within 10 days.

The application then proceeds to examination, following which a decision to accept the application or reject it is issued. Once an application is accepted, it is entered in the register and published in the Official Gazette.

A design can be licensed or assigned only to the extent of the industrial products it covers.

An assignment or a license should be made in writing and should be recorded with the Patent Office in order to be effective against third parties.

The Implementing Regulations for the Designs Law have been issued, and the Registrar started the examination and registration of the pending applications.

## Requirements Design Applications

1. A power of attorney executed in the name of the applicant and duly notarized and legalized up to the Yemeni Consulate.

2. A duly legalized extract from the Commercial Register or from the Memorandum of Association, if the applicant is a company or body corporate.
3. Two copies of the model or design if it is two dimensional or two copies of each view thereof, if it is 3-D.
4. A duly legalized deed of assignment signed by the inventor, if the applicant is not the inventor.
5. A certified copy of the priority documents for claiming priority.

### **Assignment Applications**

1. A power of attorney legalized up to the Consulate of the Republic of Yemen.
2. An assignment deed executed by both the assignor and the assignee and legalized up to the Consulate of the Republic of Yemen.

### **Registered User/License Agreement Applications**

1. A power of attorney executed by the licensee legalized up to the Consulate of the Republic of Yemen.
2. A license agreement legalized up to the Consulate of the Republic of Yemen.

### **Change of Name/Address Applications**

1. A power of attorney legalized up to the Yemeni Consulate or any other Arab Consulate.
2. A copy of any document showing the change of name or address legalized up to the Yemeni Consulate.

## **Summary of the Copyright Registration System**

The unified Intellectual Property Rights Law No. 19 of 1994 stipulates protection for copyright, but the non-issuance of the Implementing Regulations has delayed the full implementation of the Law.

## **Summary of the Domain name Registration System**

Currently, domain name registration is not available in Yemen due to the non-issuance of the implementing regulation.

# **LIAISON OFFICES**



# AFRICA LIAISON OFFICE

**Premises:** TAGI Campus, Queen Noor Street, Shmeisani, Amman 921100, Amman 11192, Hashemite Kingdom of Jordan  
**P.O. Box:** (962-6) 5100 900  
**Tel:** (962-6 ) 5100 902  
**Fax:** (962-6 ) 5100 902  
**Email:** africa@tagi.com  
**Website:** www.agip.com  
**Contact:** Mrs. Randa Najjar

## ANGOLA

### Trademark/Service Mark Applications

1. A power of attorney duly legalized up to the Angolan Consulate or apostilled according to the Hague Convention.
2. Prints of the mark.
3. The full particulars of the applicant.
4. The list of the goods and/or services to be covered by the mark.
5. A certificate of incorporation or an extract from the Commercial Register with a verified Portuguese translation duly legalized up to the Angolan Consulate or apostilled.

### Patent Applications

1. A power of attorney duly legalized up to the Angolan Consulate or apostilled according to the Hague Convention.
2. Full particulars of the inventors and the applicants.
3. The title of the invention.
4. The specification and claims, together with an abstract of the invention in the English language for translation into Portuguese.
5. A set of the drawings, if any.
6. A legalized priority document with its English translation.
7. A duly legalized deed of assignment of the invention, if any.
8. International classification.

*Note: The documents should be in Portuguese.*

### ARIPO (African Regional Industrial Property Organization)

#### Trademark Applications

(Lesotho, Botswana, Malawi, Swaziland, Tanzania,

Uganda, and Zimbabwe have ratified the Banjul Protocol as of June 1, 2000)

1. A simply signed power of attorney (Form M2).
2. Particulars of the applicant.
3. The list of goods and classes pertaining thereto.
4. Prints of the trademark, (not required for word marks).

### Patent Applications

(Botswana, Gambia, Ghana, Kenya, Lesotho, Malawi, Mozambique, Sierra Leone, Sudan, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe)

1. A simply signed power of attorney (Form 4). The ARIPO countries in which protection is sought should be designated in the power of attorney.
2. Five copies of the specification, claims, abstract in English and drawings, if any.
3. A certified copy of the basic application if priority is to be claimed (it can be filed within three months). It should be submitted with its sworn English translation if not in English and, in this case, the document can be filed within six months as from the application date.
4. An assignment of the inventors rights and priority rights, if any.

## BOTSWANA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Three prints of the trademark.
3. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims, abstract in English and drawings if any.
3. Deed of assignment, if the applicant is not the inventor.
4. Priority document, if priority is claimed.
5. International patent classification.

## BURUNDI

### Trademark Applications

1. A simply signed power of attorney.
2. Ten prints of the trademark, (not required for word marks)
3. The full particulars of the applicant.
4. The list of goods and classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims and abstract in French.
3. Formal drawings on tracing paper, if any.

## COMORO ISLANDS

In the absence of Intellectual Property laws in Comoro Islands, the only available protection is by publishing cautionary notices through daily newspapers. The charges depend on the size of the cautionary notice.

## DEMOCRATIC REPUBLIC OF CONGO

### Trademark/Service Mark Applications

1. Two copies of a simply signed power of attorney on the prescribed form.
2. Prints of the trademark (even for word marks).
3. The list of the goods and the classes pertaining thereto.

### Patent Applications

1. Two copies of a simply signed power of attorney on the prescribed form purchased from the Patent Office.
2. Five copies of the specification in French, along with a resume.
3. Five sets of the formal drawings, if any.

4. A deed of assignment if the assignee applies.
5. If the application is for a patent of importation, the number and date of the patent upon which the application is based and the number, date and duration of the first foreign patent should be furnished.

## DJIBOUTI

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Prints of the trademarks.
3. A certified copy of the home registration, if any.
4. The list of the goods/services and the classes pertaining thereto.

## ERITREA

There are no Intellectual Property laws in Eritrea as yet. At present, trademarks may be protected by means of publication of cautionary notices in daily newspaper.

The publication languages are Tigringia or Tigre (local language of Eritrea), Arabic and English.

## ETHIOPIA

There are no statutory industrial property laws in Ethiopia; however, the rights of owners are protected under Article 674 of the Ethiopian Penal Code of 1957. The said Article stipulates that importers and traders selling products bearing counterfeit trademarks can only be found guilty if proven that they have acted with full knowledge that the trademark applied to the goods sold by them was indeed counterfeit.

In order to establish such knowledge, it is imperative to publish cautionary notices regarding trademarks and patents and to have cuttings thereof deposited with the Ministry of Domestic Trade, which issues the relevant registration certificate.

### Trademark/Service Mark Applications

1. A power of attorney duly legalized up to the Ethiopian Consulate.
2. A legalized copy of the valid home registration or any foreign registration of the trademark, together with its English translation.
3. Prints of the mark.

## Patent Applications

1. A legalized power of attorney.
2. Three copies of the specification and claims in the English and Amharic languages.
3. A legalized letters patent issued in the country of origin.

*Note: A single notice may cover only one patent or one trademark so that a separate certificate may be issued in respect of the patent or the trademark as the case may be. Even if more than one trademark is included in a single notice with a view of reducing the advertising charges to the minimum, a separate registration fee is to be paid in respect of each trademark with the result that a separate registration certificate will be issued for each trademark.*

## GAMBIA

### Trademark Applications

1. A simply signed power of attorney.
2. Prints of the trademark, (not required for word marks).
3. A list of the goods and the classes pertaining thereto as per the local classification in Gambia.

## GHANA

### Trademark/Service Mark Applications

1. A simply signed power of attorney for each application.
2. A printing block and ten prints of the trademark, (not needed for word marks).
3. The list of the goods/services and the classes pertaining thereto.
4. A priority document, if priority is to be claimed.

### Patent Applications (confirmation of UK patents)

1. A simply signed power of attorney.
2. Specifications, claims and abstract in English. Drawings, if any.
3. If priority is claimed, indication of the country,
4. date and file number of basic foreign application.

## KENYA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.

2. Ten prints of the mark, (not needed for word marks).
3. A list of the goods and/or services to be covered by the application.
4. The full particulars of the applicant.
5. Statement of whether the mark is used or intended to be used in Kenya.

## Patent Applications

1. A simply signed power of attorney.
2. Two copies of the specification and claims including drawings in original. (Photocopies are not acceptable).
3. The particulars of the corresponding application or granted patents elsewhere.
4. A certified copy of the corresponding application for claiming priority.

## LESOTHO

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The list of the goods/services and the classes pertaining thereto.
3. Six prints of the trademark.

## Patent Applications

1. A simply signed power of attorney.
2. Specification, claims, abstract and drawings in English.
3. A deed of assignment if the applicant is not the inventor.

## LIBERIA

### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Liberian Consulate. In the absence of a Liberian Consulate, the documents may be apostilled according to the Hague Convention.
2. A declaration including the list of the goods or services covered by the mark, a detailed description of the mark, and occupation of the applicant notarized and legalized up to the Liberian Consulate.
3. Prints of the trademark.
4. An oath duly legalized.
5. A description of the trademark (need not to be legalized).

### Patent Applications

1. A power of attorney duly notarized and legalized up to the Liberian Consulate. In the absence of a Liberian Consulate the documents may be apostilled according to the Hague Convention.
2. Four copies of the specification and claims in English.
3. Four sets of the formal drawings, if any.
4. The full particulars of the applicant.

## MALAGASY REPUBLIC

### Trademark/Service Mark Applications

1. A power of attorney duly notarized.
2. Ten prints of the mark, (not required for word marks).
3. The list of the goods and/or services and the classes pertaining thereto.

### Patent Applications

1. A power of attorney duly notarized.
2. Specification, claims and abstract in French.
3. Drawings in triplicate.
4. The priority document with its French translation.

## MALAWI

### Trademark Applications

1. A simply signed power of attorney.
2. Twelve prints of the trademark, (not required for word marks).
3. A list of the goods and the classes pertaining thereto.

### Patent Applications

1. Combined power of attorney/application form.
2. Three copies of the specification in English.
3. Three copies of the formal drawings.
4. A certified copy of the basic application to claim convention priority, and a sworn English translation (if not in English).
5. A deed of assignment, if the applicant is not the inventor.

## MAURITIUS

### Trademark Applications

1. A power of attorney notarized, if executed in the British Commonwealth; otherwise, it should be legalized up to the British Consulate.

2. Five prints of the trademark, (not required for word marks).
3. A list of the goods to be covered by the application and the classes pertaining thereto.

### Patent Applications

1. A petition.
2. A declaration duly notarized and legalized.
3. A power of attorney.
4. Specification and claims in English.
5. Formal drawings.
6. Deed of assignment duly notarized and legalized.
7. Memorandum of signatory.

*Note: These documents are filed immediately in four copies and the originals are sent to the Registration Office especially the deed of assignment to be transcribed.*

*Note: The original petition, declaration, power of attorney and assignment deed must be notarized if executed in the British Commonwealth; otherwise, the documents must be legalized up to the British Consulate. If the documents are executed in a member country of the Hague Convention of October 5, 1961, they shall be signed by a notary public along with an apostille in the form prescribed by the convention.*

## MOZAMBIQUE

### Trademark/Service Mark Applications

1. A notarized power of attorney.
2. Prints of the trademark, (not required for word marks)

## NAMIBIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Eight prints of the trademark.
3. The list of goods and/or services to be covered by the application.

### Patent Applications

1. A simply signed power of attorney.
2. The specification, claims, abstract and drawings, if any.
3. An assignment deed if the inventor is not the applicant.

## NIGERIA

### Trademark Applications

1. A simply signed power of attorney.
2. Prints of the trademark (even for word marks).
3. The list of the goods to be covered by the application.

### Patent Applications

1. A simply signed Patents Form No. 1(a) (\*Non-Convention Application for a Patent\*).
2. A simply signed Patent Form No. 2 (\*Authorization of Agent\*).
3. A simply signed \*Assignment of Invention (and Priority Rights, if any)\*.
4. A \*clean and clear\* copy of the specification, claims, abstract and drawings.

## OAPI (African Intellectual Property Organization) (Yaounde, Cameroon)

The OAPI (African Intellectual Property Organization) comprises the following member countries: Benin, Burkina Faso, Cameroon, the Central African Republic, Chad, Congo, Equatorial Guinea, Gabon, Guinea, Guinea Bissau, Ivory-Coast, Mali, Mauritania, Niger, Senegal, Togo.

Separate applications are required for goods classes and service classes.

### Trademark/Service Mark Applications

- 1.
2. A simply signed power of attorney in French. The name, address, nationality and occupation
3. of the owner. A list of the goods covered by the mark and the
4. classes pertaining thereto. Twenty prints of the mark.

### Patent Applications

#### Document(s) Required

- 1.
2. A simply signed power of attorney.
3. Complete specification, claims and abstract x3.
4. Copy(ies) of Priority Assignment(s). If priority is not in the name of OAPI applicant, translation if not in English or French is required).
5. Certified copy of priority document(s), with translation if not in English or French) - not required for PCT

### Additional documentation required for PCT applications:

1. International Publication.
2. International Preliminary Examination Report.
3. International Search Report.
4. Notification of changes recorded at WIPO or other evidence of changes to PCT applicant.

### Additional requirements/information to complete the application

1. The name(s) of the priority applicant(s).
2. The printed characters on the specification and claims must be at least 2mm in height. If the characters are smaller than 2mm, then OAPI will issue an official action requesting the submission of a fresh specification and claims containing larger print.

Please also note that in order to comply with the Regulations, the specification and claims must also have minimum margins of 2.5cm on the left hand side, and 2 cm on the right hand side, top and bottom, and must be typed in one-and-a-half line spacing.

3. \*Method of Treatment\* claims cannot be protected under the OAPI law. Such claims should be either deleted to avoid the payment of the additional fees due on every claim over the 10th, or reworded \*Swiss style\*. Please note, however, that at present it is uncertain whether such claims are in fact enforceable.

## RWANDA

### Trademark Applications

1. A simply signed power of attorney.
2. Prints of the trademark (even for word marks). A precise list of the goods and the classes pertaining thereto.
- 3.

### Patent Applications

1. A notarized power of attorney.
2. Three copies of the specification in French, along with the abstract.
3. Four copies of the drawings, if any, three on tracing cloth.



4. In the case of a patent of importation, the number and filing date of the patent application for which the convention date is claimed.
5. A deed of assignment if the applicant is not the inventor.

## SEYCHELLES

### Trademark/Service Mark Applications

1. A duly notarized power of attorney, if signed within the Commonwealth; otherwise, the document should be legalized up to the British Consulate.
2. Eight prints of the trademark.
3. The list of goods/services and the classes pertaining thereto.
4. The following information:
  - a. Trading activity of the applicant, i.e. merchant or manufacturer.
  - b. Use of the trademark, i.e. being used or proposed to be used.

### Patent Applications (Based on UK patents)

1. A notarized power of attorney.
2. A certified copy of the UK letters patent attached to the specifications.

## SIERRA LEONE

### Trademark Applications

1. A simply signed power of attorney.
2. Seven prints of the trademark.
3. The list of the goods and the classes pertaining thereto as per the local classification.

### Patent Applications (confirmation of British patents)

1. A simply signed power of attorney.
2. A certified copy of the British patent including the specifications and formal drawings.
3. A certificate from the Comptroller of the UK Patent Office giving full particulars of the issue of the British patent, any change of name, address or assignment.

## SOMALI DEMOCRATIC REPUBLIC

### The trademark office is not operational.

Due to political situations in Somali Democratic

Republic, filing of trademarks and patents applications are not possible in the meantime.

## SOUTH AFRICA (Republic of)

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Six prints and one bromide in black and white for advertisement purposes.
3. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. Application forms which are completed in our office and signed by patent attorneys.
2. A declaration/power of attorney on Patents Form P.3, which has to be signed by the applicant or, if the applicant is not a natural person, by an authorised official of the applicant. The Patent Office requires the full names and capacity of the signatory to be furnished, but does not require proof of authorization of the signatory by the applicant.

The deadline for filing the Form P.3 is six months from the application filing date.

3. Where the applicant has acquired the right to apply for the patent from the inventor, an assignment or other proof, to the satisfaction of the Registrar, of the right of the applicant to apply.

Such document can be in the form of a copy of an existing deed of assignment which at least implicitly includes South Africa, provided the copy is certified by a notary public to be a true copy of the original or is a certified copy issued by the Patent Office of another country.

The assignment or other proof must be filed within eighteen months from the date of filing the application, or within three months of an Official Action calling for this document.

4. Three copies of the specification and claims (two for filing and one for our file).

The patent specification accompanying a South African application need not to be in the English language. It can be in a language of any of the member countries of the International Conven-

tion. If the specification is not in English, a verified English translation would have to be filed within three months of the application filing date.

5. A set of formal drawings on A-4 size.

The formal drawings have to be filed within eighteen months from the application filing date, or within three months of an Official Action calling for the formal drawings.

6. An Abstract which should not exceed 150 words.
7. If the South African application is claiming priority under the International Convention, a certified copy of the priority application in the Convention country and, if applicable, a verified English translation thereof. Priority documents issued by the USPTO on disk in electronic format are acceptable to the South African Patent Office provided they are accompanied by a hard copy print out of the contents of the disk, which print out must be certified by an attorney, as a true copy.

The priority document has to be filed within six months of the South African application filing date.

8. If the South African application is claiming priority under the benefits of the International Convention and the applicant in the Convention country is not the same as the applicant in the South African application, an assignment of priority rights or other proof, to the satisfaction of the Registrar, of the applicant's rights to claim priority in South Africa.

*Note: Registration in South Africa also covers Bophuthatswana, Transkei and Venda, which have been reincorporated into South Africa.*

## ST. HELENA

### Trademark/Service Mark Applications (confirmation of UK registration)

1. A simply signed power of attorney.
2. A certified copy of the United Kingdom registration.

## Patent Applications

1. A simply signed power of attorney.
2. A certified copy of the British letters patent.

## SWAZILAND

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Ten prints of the mark, (not required for word marks).
3. The list of the goods/services and the classes pertaining thereto.

## Patent Applications

1. A simply signed power of attorney.
2. A certified copy of the South African letters patent.

## TANZANIA (incorporating TANGANYIKA and ZANZIBAR)

Although the former territories of Tanganyika and Zanzibar form one political union, that is the United Republic of Tanzania, separate patent, trademark and design applications still have to be filed in each of these two territories.

### Trademark/Service Mark Applications

1. A simply signed power of attorney, (for each application).
2. Prints of the trademark.
3. The list of the goods/services and the classes pertaining thereto.

## Patent Applications

1. A simply signed power of attorney.
2. Two certified copies of the specification of the British patent including any existing drawings.
3. A certificate issued by the British Comptroller of Patents giving full particulars of the grant of the British letters patent.

## UGANDA

### Trademark Applications

1. A simply signed power of attorney.
2. Ten prints of the trademark.

3. The list of the goods to be covered by the application.
4. Full name(s), trading style, legal status, description and street address of the applicant.
5. A list of specific goods and the classes pertaining thereto.

#### **Patent Applications**

1. A simply signed power of attorney.
2. A simply signed application form.
3. Specification, claims, abstract and drawings, if any.
4. A deed of assignment, if the inventor is not the applicant.
5. The priority document, if priority is to be claimed.

#### **Patent Applications**

1. A simply signed power of attorney.
2. Three copies of the specification in English.
3. Two sets of the formal drawings, if any.
4. An assignment deed from the inventor, where necessary.
5. A certified copy of the basic application if convention priority is claimed.

### **ZAMBIA**

#### **Trademark Applications**

1. A simply signed power of attorney.
2. A printing block and some prints.
3. The list of the goods and the classes pertaining thereto.
4. A priority document together with a verified English translation.

#### **Patent Applications**

1. A simply signed power of attorney or an application form.
2. Two copies of the specification, claims and abstract in English.
3. Two sets of the formal drawings.
4. A certified copy of the basic application, together with a sworn English translation for claiming convention priority.
5. A deed of assignment, if the applicant is not the inventor.

### **ZIMBABWE**

#### **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. Ten prints of the trademark, (not required for word mark).
3. A certified copy of the home registration for convention applications.
4. Statement of whether the mark is to be used or is being used, and the English meaning and the language from which it is derived, if the mark is in a language other than English.

# Asia Liaison Office

<b>Premises:</b>	TAGI Campus, Queen Noor Street, Shmeisani, Amman 921100 Amman 11192, Jordan
<b>P.O. Box:</b>	
<b>Tel:</b>	(962-6) 5100 900
<b>Fax:</b>	(962-6) 5100 902
<b>Email:</b>	latinamerica@tagi.com
<b>Website:</b>	www.agip.com
<b>Contact:</b>	Mr. Khaled Marar

## AFGHANISTAN

### Trademark/Service Mark Applications

1. A notarized and legalized power of attorney.
2. Prints of the mark, (not required for word marks).
3. The list of the goods and/or services and the classes pertaining thereto.
4. The particulars of the home registration, if any.
5. The name and full address of the applicant.

## BANGLADESH

### Trademark Applications

1. A simply signed power of attorney.
2. Twenty five prints of the trademark, (not needed for word marks).
3. The list of the goods to be covered by the application.
4. The date of first use of the mark in Bangladesh or a statement that the mark is proposed to be used in Bangladesh.
5. The particulars of the applicant.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the specification in English.
3. Three sets of the formal drawings.
4. A certified copy of the foreign application, if priority is to be claimed.
5. The full particulars of the inventor and the applicant.

## BHUTAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.

2. Information on prior use of the trademark in Bhutan, if any.
3. Prints of the trademark.
4. List of the goods/services and the classes pertaining thereto.

## BRUNEI

### Trademark/Service Mark Applications

1. The name and address of the applicant, country/state of incorporation and its trading nature, i.e., manufacturer or merchant.
2. A simply signed power of attorney. This document may be signed by the agents.
3. The list of goods/services and the classes pertaining thereto.

### Patent Applications

The only way possible to file a patent application in Brunei is by re-registration of granted British, European (designation UK), Malaysian or Singapore patents. Any person, who has obtained the sole and exclusive privileges in an invention from the patentee, may also apply to re-register the grant in Brunei.

The re-registration will have to be applied within a period of three years from the date of issue of the original grant.

1. A simply signed power of attorney, the full name and designation of the signatory should be inserted.
2. A copy of the granted patent specifications, including drawings duly certified by the relevant Patent Office.
3. The Extract sheet obtained from the relevant Patent Office.

## CAMBODIA

### Trademark/Service Mark Applications

1. A notarized power of attorney. The name, position of the signer should be indicated. (The power of attorney is valid for 10 years).
2. Twenty prints of the mark.
3. The list of goods and/or services and the classes pertaining thereto.
4. Information on the first date of use, registration number and the country where the mark has firstly been registered.

## CHINA

### Trademark/Service Mark Applications

1. Applicant's name and address, in English and in Chinese

Chinese Trademark Office requires Chinese translation of the applicant's name and address. If the applicant does not have a corresponding Chinese name, we can suggest one which can be confirmed by the applicant. Please note that for those applicants, who have more than one, applied for registration of trademarks in China, the names and addresses shall be consistent.

If the applicant is a natural person, we need a copy of his/her ID or passport or Driver's License on which his or her Nationality and ID number can be noticed.

2. The International class(es), and the specified goods/services
3. Trademark specimens

Ten trademark reproductions in black and white for one trademark in one class shall be provided. If color is to be protected, 10 colored and 2 in black and white trademark reproductions shall be provided.

The reproductions shall be clear, and sized between 5 cm x 5 cm and 10 cm x 10 cm.

Please describe the meaning of the trademark if it contains letters or characters.

4. Power of attorney; no notarization or legalization

is required. If time is pressing, a copy of executed power of attorney can be faxed or emailed to us first, with the original to be mailed to us as soon as possible.

5. Priority document, if priority is claimed. Where priority is claimed, a certified copy of the priority documents including information regarding the priority filing date, number and country shall be provided.

Where priority is claimed, the applicant shall be the same, and the goods/services in said application document shall not exceed the scope of the priority application.

The priority document may be filed at a later date, but no later than 3 months from the date of filing the application.

6. One copy of a certificate issued by competent authorities authorizing manufacture in the home country in the case of a trademark covering pharmaceutical products for human use. A certificate of the Chamber of Commerce of the home country is sufficient.
7. In the case of using a person's image as a trademark, a statement of consent is required from the person whose image is used.

### Certificate Mark Applications

1. Certificate qualifying the subject, notarized.
2. The Administrative Regulations on Use of Certificate Mark stipulates:
  - The object of using the certificate mark;
  - The unique qualities and features of the goods/services using the certificate mark;
  - Conditions of using the certificate mark;
  - Procedures of using the certificate mark;
  - Rights and obligations of using the certificate mark, and liabilities when violating the Regulations.
3. Certification issued by the pertinent Government department concerned testifying that the applicant has the ability of testing and supervising the qualities of the said good/services.

### Collective Mark Applications

1. Certificate qualifying the subject, notarized.



2. The Administrative Regulations on Use of Collective Mark stipulates;

- The object of using the collective mark;
- Members using the collective mark;
- The qualities of the good/services;
- Conditions of using the collective mark;
- Procedures of using the collective mark;
- Rights and obligations of members using the collective mark, and liabilities thereof when violating the Regulations.

### Patent Applications

1. A simply signed power of attorney.
2. Full particulars of the inventor and the applicant.
3. Four copies of the specification and claims including an abstract of the invention.
4. Three copies of a report including material on prior art.
5. Four sets of the formal drawings, if any.
6. A priority document when priority is claimed.

*Note: The Patent Office will automatically publish the application within 18 months as of the first priority date or, if no priority is claimed, as of the filing date of the application in China. The request for examination must be made within three years as of the first priority date or, if no priority is claimed, as of the filing date of the application in China. When applying to the Patent Office for examination, the applicant shall have furnished pre-filing date reference material concerning the invention, search reports and results of the examination of the patent elsewhere.*

## HONG KONG

### Trademark/Service Mark Applications

1. The name and address of the applicant and in the case of a partnership, the names of all the partners. A copy of business registration for companies. A copy of Identification for natural person.
2. The list of the goods or services to be covered by the application. If protection is sought for a whole class, a precise list of the goods or services should be mentioned.
3. Fifteen prints of the mark for each application in each class.
4. A certified copy of the convention application along with a certified English translation thereof if convention priority is to be claimed.

### Patent Applications

#### A) Standard Patents

1. The first stage (can be filed based on EP (UK), English and Chinese patent applications within 6 months of the publication of the designated patent application in the Designated Patent Office (DPO):
  - a. Request to record (IDP Form P4).
  - b. Photocopy of the designated patent application as published.
  - c. Name of Inventors.
  - d. Name and address of the person making the request with the statement for holding the power of attorney and supporting materials.
  - e. Details of any priority claim.
  - f. English and Chinese translation of the title of the invention and abstract.
2. The second stage (after the patent has been granted in the DPO, the applicant may then make a request to the Registrar for registration and grant a standard 6 months after the date of the grant by the DPO, or after publication of the request to record, whichever is later):
  - a. Request to register and grant (IDP Form P5).
  - b. Verified copy of the published specification of the designated patent, including the description, the claims and drawings as published by the DPO.
  - c. If other than the applicant in the registry book, statement for holding the power of attorney and supporting materials required.
  - d. Copy of priority documents supporting the priority claim made, if any, in the DPO.

#### B) Short Term Patents

1. Specifications, with description, claims (including a single independent claim) and abstract, and any drawings.
2. Details of applicant(s).
3. Details of inventor(s).
4. If the applicant(s) is/are not the inventor(s), details of how the applicant(s) derived the rights to the invention, i.e. by employment, by assignment, etc.
5. Priority details.
6. Search Report from one of the prescribed Searching Authorities; Patent Offices of Austria, Australia, China, Japan, the Russian Federation,

Spain, Sweden, the United States of America, and the European Patent Office and one of the Designated Patent Offices.

7. The IPC Classification No. of the patent if necessary.
8. Information for the storage of the microorganism, if necessary.
9. Certified copy of priority document, and verified translation of title and claims only, if not in English or Chinese.
10. English and Chinese title of the invention and abstract.

## INDONESIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Thirty prints of the trademark, if in color; one print, if black & white.
3. A simply signed statement of ownership.
4. A certified copy of the home application, if priority is claimed.
5. The list of the goods/services and the classes pertaining thereto.
6. The meaning and the transliteration of the mark.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the specification, claims, and an abstract which consists of no more than 200 words; the Indonesian translation is to be submitted at the time of filing.
3. Three sets of the formal drawings, if any.
4. A statement as to patents already applied for or granted in other countries for the same invention, together with the dates and numbers of the applications filed or patents granted, to be filed at the time of the filing of the request for examination.
5. A certified copy of the basic application together with its English translation for claiming convention priority.
6. A notarized deed of assignment from the inventor to the applicant or an evidence that inventor(s) is/are member/employee of the applicant, in English or with English translation.

## IRAN

### Trademark/Service Mark Applications

1. A power of attorney legalized up to the Iranian Consulate.
2. Prints of the trademark, (not required for word mark).

3. The name and address of the applicant.
4. The list of the goods and the classes pertaining thereto.
5. A priority document if priority is to be claimed.

### Patent Applications

1. A power of attorney duly legalized up to the Iranian Consulate.
2. Three copies of the specification, claims and abstract (in French or English). Persian translation is necessary.
3. Four sets of the formal drawings, (if any), on tracing linen, Bristol board or paper.
4. A priority document along with its translation into English, if priority rights are to be claimed.
5. For patent of importation, a certified copy of the letters patent.

## JAPAN

### Trademark/Service Mark Applications

1. Six prints of the trademark, (not required for word mark).
2. A certified copy of the basic application if priority is to be claimed.
3. The list of goods and/or services to be covered by the application and classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. One copy of the specification and claims, together with the Japanese translation. Claims should be incorporated into one claim; otherwise, an additional fee for extra claims will be paid at the time of requesting the examination, paying the registration fees, annuity fees, etc.
3. One set of the clear drawings.
4. A certified copy of the basic home application for claiming convention priority must be filed within 16 months from the priority date. If the basic application was filed at the EPO as of January 1999, a priority document is not required.

## KOREA (NORTH)

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. An attestation of domicile (which is a document attesting as to the legal existence of the applicant and stating the scope of its activity).
3. Fifteen prints of the trademark (required even

for word marks).

4. A priority document, if priority is to be claimed.
5. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the specification and claims in English (to be translated into Korean).
3. Four copies of the formal drawings, if any.
4. The priority document, if priority is to be claimed.
5. The inventor's declaration.
6. An assignment deed, if any, executed by the inventor.

## KOREA (SOUTH)

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Prints of the trademark, (not needed for word mark).
3. The detailed list of goods and the classes pertaining thereto.
4. The priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. One set of the specification, claims and abstract.
3. One set of the drawings.
4. The priority document, if priority is to be claimed.

## LAOS

### Trademark/Service Mark Applications

1. A duly notarized power of attorney.
2. Twenty prints of the trademark.
3. The list of goods and/or services in accordance with the International Classification.

## MACAU

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Fifteen prints of the trademark, (not necessary for word marks).
3. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.

2. Specification claims and abstract.
3. A priority document, if priority is claimed.

## MALAYSIA

### Trademark/Service Mark Applications

1. A notarized statutory declaration.
2. A clear print of the mark. If the trademark is in color, 20 color prints are required.
3. Statement whether the trademark is used or proposed to be used in Malaysia. If used, state the date of first use.
4. List of goods and services and the classes pertaining thereto.
5. A certified translation of the trademark and/or words with the trademark, which are non-Roman characters or in languages other than English.
6. A copy of the priority application stating the country, the date and the number of the application, if priority is claimed.

### Patent Applications

1. A power of attorney on Form No. 17 simply signed.
2. The title, specification and claims including an abstract of the invention.
3. Full particulars of both the applicant and the inventor.
4. The filing number, filing date and country of the basic application, if priority is to be claimed.
5. State how the applicant has acquired the right to the patent by way of assignment or otherwise.

*Note: In order to assist in the examination process at the Patent Office of Malaysia, it is advisable that applicants provide corresponding search reports, bibliographic details, official actions or patents granted in the United States, United Kingdom, Australia, or Japan or patents issued by the European Patent Office.*

## MALDIVES

The Republic of Maldives, an archipelago South-West of Sri Lanka became a republic in 1968.

Law disputes are settled according to the common law. Industrial property laws are not yet enacted. In their absence, the only available form of protection is by publishing cautionary notices through daily newspapers published from Sri Lanka or the South Indian State of Kerala that circulates in Maldives.

## MONGOLIA

### Trademark/Service Mark Applications

1. A power of attorney duly notarized.
2. Twenty prints (required even for word marks) with a maximum size of 10x15 cm.
3. A priority document, if priority is to be claimed.

### Patent Applications

1. A power of attorney duly notarized.
2. Application form in duplicate, signed by the applicant. Specification, claims, abstract and drawings.
3. A priority document, if priority is to be claimed.

## MYANMAR

There is no statutory trademark law in force in Myanmar. In its absence, the procedure adopted is to register a declaration of ownership in the Register of Deeds and Assurance and thereafter, a cautionary notice is published through a local newspaper.

### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Myanmar Consulate.
2. A declaration of ownership signed by the official of the declarant company who signed the power of attorney.
3. Prints of the trademark, (not required for word mark).
4. The particulars, date of first use and full description of the goods and/or services in respect of which the mark is used.

## NEPAL

### Trademark/Service Mark Applications

1. A power of attorney signed by the applicant, sealed and attested by two witnesses.
2. An application form executed as above.
3. A certified copy of the home registration certificate, along with its authenticated translation in English or Nepalese.
4. Prints of the trademark/service mark.
5. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A power of attorney signed by the applicant, sealed and attested by two witnesses.
2. An application form executed as above.

3. Certificates of the home registration and of registrations in three other countries (in order to obviate the need for examination), along with duly authenticated translations thereof in the English language.
4. Four sets of the specification and claims, including the nature of the invention in the English language.

## PAPUA NEW GUINEA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name, address and state of incorporation, if applicable, of the applicant.
3. Prints of the trademark, (not needed for word marks).
4. The list of the goods/services and the classes pertaining thereto.

## PHILIPPINES

### Trademark/Service Mark Applications

1. A simply signed trademark application form.
2. Ten prints of the mark application.
3. A certified copy of the home registration and its simple English translation, if any. Otherwise, the application may be filed based on use or intent to use in the Philippines.

*Note: A declaration of actual use with evidence to that effect should be filed within 3 years from the date of filing. Another declaration of use should be filed within one year after the fifth anniversary of registration of the trademark.*

### Patent Applications

1. One set of the specification and claims in English.
2. One set of the formal drawings, if any.
3. A certified copy of the foreign application, together with its sworn English translation (if not in English), for claiming convention priority.
4. A request for the grant of the patent.

## SINGAPORE

### Trademark/Service Mark Applications

1. Six prints of the trademark mounted on white background, if the trademark is in color. If black and white, one print is sufficient.
2. The list of the goods/services and the classes

pertaining thereto.

3. A priority document, if priority is claimed.
4. If the mark has meaning in any language, a certified translation of the mark.

### Patent Applications

1. The specification, claims and drawings.
2. An abstract of the invention.

## SRI LANKA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The list of the goods/services to be covered by the application.
3. Prints of the trademark, (not required for word marks).
4. A certified copy of the home registration, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the specification and claims in English including an abstract of the invention.
3. Three copies of the formal drawings, if any.
4. A certified copy of the basic application along with a certified English translation for claiming convention priority.
5. A statement justifying the applicants rights to the patent, if the applicant is not the inventor.

## TAIWAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney indicating the name of the signatory. If the applicant is a Japanese company, the applicant's company seal and representative's seal must be affixed.
2. The list of the goods to be covered by the application.  
Twenty prints of the trademark, not exceeding 5x5 cm.
3. Evidence of use such as catalogues, brochures, invoices, labels, advertisements, packaging etc. or an intent-to-use declaration.

*Note: Applicants originating from the USA, Australia and France may claim priority. Priorities can also be claimed on the basis of CTM application. The applicant's nationality is not confined.*

## Patent Applications

1. A simply signed power of attorney.
2. An oath signed by the inventor.
3. The assignment deed signed by the inventor, if the applicant is not the inventor himself.
4. A copy of the specification and claims, and a set of the formal drawings, if any.
5. The filing date and number of the corresponding application filed at home country or elsewhere.

*Note: An applicant may claim priority based on applications filed in Australia, Germany, Switzerland, Japan, USA and France.*

## THAILAND

### Trademark/Service Mark Applications

1. A power of attorney with a notarial acknowledgement.
2. Thirty five prints of the trademark.
3. An exact list of the goods and the classes pertaining thereto.
4. Evidence of use of the mark (such as: copies of trademark registration in various countries, brochures, leaflets, etc.) should be submitted together with the new application or 30 days after the application has been filed so as to support the registration.

### Patent Applications

1. A notarized power of attorney.
2. An assignment deed, if the applicant is not the inventor, bearing the signatures of both the assignor and the assignee and a date earlier to that of the power of attorney.
3. Three copies of the specification and claims, along with an abstract of the invention. Thai translation is required.
4. Three sets of the formal drawings, if any.
5. The details of the foreign applications filed and patents granted.

## VIETNAM

### Trademark/Service Mark Applications

1. A duly notarized power of attorney.
2. Twenty prints of the trademark.
3. A priority document, if priority is claimed.
4. The list of the goods/services and the classes



pertaining thereto.

5. A notarized business certificate/individual nationality certificate.

### **Renewal Applications**

1. A notarized power of attorney.
2. The original certificate of registration of the trademark.
3. An application for the amendment of the contents of protection of the trademark, if any.

### **Patent Applications**

1. A duly notarized power of attorney.
2. A duly notarized deed of assignment, if any, of the inventor's rights.
3. A duly notarized deed of assignment of the priority, if any.
4. Three copies of the specification in Russian, English or French.
5. Three sets of the formal drawings, if any.
6. A priority document, if priority is to be claimed.

# East Europe Liaison Office

**Premises:** TAGI Campus, Queen  
Noor Street, Shmeisani, Amman  
921100 Amman 11192, Jordan

**P.O. Box:**

**Tel:** (962-6) 5100 900  
**Fax:** (962-6) 5100 902

**Email:** easteuropa@tagi.com  
**Website:** www.agip.com  
**Contact:** Ms. Linda Jaber

## ALBANIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney with the company's stamp.
2. The list of the goods and/or services to be covered by the mark.
3. Fifteen prints of the trademark.
4. The full particulars of the applicant.
5. Priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney with the company's stamp.
2. Three copies of the specification in English for translation into Albanian.
3. Three copies of the drawings, if any.
4. The full particulars of the applicant.
5. Priority document, if priority is to be claimed.

## ARMENIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Thirty prints of the trademark (5 x 5 cm size) and in color when colors are to be claimed.
3. A list of goods and services and the classes pertaining thereto.
4. The explanation or meaning and origin of the trademark.
5. Priority document if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.

2. The specification, claims and abstract of the invention, in English, French, German or Russian for translation into Armenian.
3. The drawings of the invention, if any.
4. The priority document, if priority is to be claimed.
5. The names and addresses of the inventors.

## AZERBAIJAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Thirty prints of the trademark (5 x 5 cm).
4. The list of goods and/or services in accordance with the International Classification.
5. Explanation or the meaning and origin of the mark.
6. A priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. Particulars of the applicant and inventors.
3. Specifications, claims, abstract and drawings.
4. A priority document, if any.

## BELARUS

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Twenty-five prints of the mark.
3. A list of the goods and/or services and classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.

2. The specification, claims and abstract of the invention.
3. The drawings, if any.
4. A deed of assignment if the inventor is not the applicant.
5. The priority document.

## BOSNIA AND HERZEGOVINA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Three prints of the trademark.
3. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims, abstract in English and drawings if any.
3. Deed of assignment, if the applicant is not the inventor.
4. Priority document, if priority is claimed.
5. International patent classification.

## BULGARIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. A certified and legalized copy of an extract of the entry in the commercial register or a document showing legal existence and object of activity of the applicant.
3. Twenty prints of the trademark, (not required for word marks).
4. The list of the goods to be covered by the application.
5. A priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims, abstract and drawings, if any.
3. A priority document along with its translation into English, French or German, if priority is claimed.

## CROATIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Twelve prints of the mark not exceeding the size of 8 x 8 cm (for trademarks in color, 5 black & white prints, and 5 prints in color).

3. A list of the goods and/or services in accordance with the International Classification.
4. A priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. The specification, claims and abstract.
3. Three sets of the formal drawings, if any.
4. A priority document, if priority is claimed.

## CYPRUS

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. A detailed list of the goods/services and the classes pertaining thereto.
3. The full particulars of the applicant.
4. Nine prints of the trademark, if in color. If black and white, one print is sufficient.

### Patent Applications

1. A power of attorney signed and stamped with the corporate seal of the applicant company.
2. Specifications, claims and abstract of the invention in English; Greek translation is required.
3. Drawings, if any.

### Domain Name Applications

1. Proposed domain name
2. Applicant Company's full name, address and registration number
3. Photocopy of the certificate of incorporation of the Applicant Company or any other document evidencing that the Applicant Company is duly registered
4. Description of Applicants' business.
5. Details of a technical contact (name, address, telephone /telefax numbers, e-mail address)
6. The primary, secondary and third (if any) name servers' IP addresses and fully qualified domain names. Name servers do not have to be located in Cyprus.
7. Further, we shall need to be provided with an Authorization of Agent duly executed by the applicant in favor of our agent. There is no need for this Authorization to be legalized nor notarized or otherwise certified, but simply signed. (Original is required)

### Notes

- If the client has a local company, they can be the registrant.
- The client may use their own servers.

## Available extensions:

.com.cy

for commercial use

.net.cy

for ISPs

.org.cy

for non-for-profit organizations

.gov.cy

for governmental bodies

.ac.cy

for academic and research institutions

## CZECH REPUBLIC

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Five prints of the trademark, (not required for word marks).
3. The list of the goods to be covered by the application.
4. The priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. A copy of the specification, claims and abstract of the invention in Czech.
3. Drawings, if any.
4. A priority document along with its translation into the English, French or German language.
5. An assignment declaration simply signed by the inventor if the applicant is different from the inventor.
6. An assignment of priority rights, if any.

## ESTONIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. The list of goods and services and the classes pertaining thereto.
4. Thirteen prints of the mark, (not needed for word marks).
5. The priority documents, if any.

### Patent Applications

1. A simply signed power of attorney.

2. The specification, claims and abstract.
3. The drawings, if any.
4. The priority documents, if any.

## HUNGARY

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Seven prints of the trademark, (not needed for word marks).
3. The list of the goods/services and the classes pertaining thereto.
4. The priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. A deed of assignment if the applicant is different from the inventor.
3. One copy of the specification and abstract of the invention in English, French or German for translation into Hungarian.
4. One set of the formal drawings, if any, one on Bristol board.
5. A priority document along with its translation into English, French or German.

## KAZAKHSTAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Fifteen prints (5 x 5 or 5 x 10 cm).
4. The list of the goods and/or services in accordance with the International Classification.
5. Explanation of the meaning and the origin of the trademark.
6. A priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. The specification including drawings when necessary in Kazakh or Russian (may be filed in English, German or French with a subsequent translation).
4. A priority document, if priority is to be claimed.

## KYRGYZSTAN

### Trademark Applications

1. A simply signed power of attorney.

2. The name and address of the applicant.
3. Thirty prints of the trademark.
4. The list of goods and services in accordance with the International Classification.
5. Explanation or the meaning and origin of the mark.
6. The extract from the company Register duly notarized and legalized up to the Consulate of Krygizstan.
7. A priority document, if priority is to be claimed.

#### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. Specification, claims, abstract and drawings.
4. Data of the corresponding home or foreign registration.
5. A priority document, if priority is to be claimed.

### LATVIA

#### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Fifteen prints of the trademark.
4. The list of goods and services and the classes pertaining thereto.
5. A priority document, if priority is to be claimed.

#### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and the inventor.
3. The specification, claims, abstract and drawings, if any.
4. A priority document, if priority is to be claimed.

### LITHUANIA

#### Trademark/Service Mark Applications

1. A simply signed and sealed power of attorney.
2. The name and address of the applicant.
3. Fifteen prints of the trademark (size 8 x 8 cm).
4. The list of the goods and/or services and the classes pertaining thereto.
5. An explanation or meaning and the origin of the trademark.
6. A priority document, if priority is to be claimed.

#### Patent Applications

1. A simply signed and sealed power of attorney.
2. A duly notarized deed of assignment if the applicant is different from the inventor.
3. Specification, claims, abstract and drawings.

4. A priority document for claiming priority.
5. Inventors declaration.

### MACEDONIA

#### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The list of goods and classes pertaining thereto.
3. Ten prints of the trademark (if in black and white); or ten color prints plus four black and white (if the mark is in color).

#### Patent Applications

1. A simply signed power of attorney.
2. Specifications and claims together with the abstract of the invention.
3. Formal drawings in three (3) sets.
4. A priority document, if priority is to be claimed.
5. Name and address of the applicant.

### MOLDAVIA

#### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Twenty prints of the trademark (8 x 8 cm).
4. The List of goods and services in accordance with the International Classification.
5. Explanation of the meaning and origin of the mark.
6. A priority document, if priority is to be claimed.

#### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. Specifications, claims, abstracts and drawings.
4. A priority document, if priority is to be claimed.

### POLAND

#### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Twenty prints of the trademark, (not needed for word marks).
3. The list of the goods and the classes pertaining thereto.



## Patent Applications

1. A simply signed power of attorney.
2. Specification, claims and abstract of the invention.
3. Drawings, if any.
4. An assignment deed of the right to the patent if the inventor is not the applicant.
5. An assignment deed of the priority right if the applicant is different from the holder of the basic patent application.
6. A standard inventor's declaration signed by the inventor.
7. A priority document along with its sworn translation into English, French or German.

## ROMANIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney for each application.
2. A list of specific goods or services and the classes pertaining thereto.
3. Fifteen prints of the colored trademark; one print is sufficient for black and white, (not required for word marks).
4. A statement of the line of business of the applicant.
5. Priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. An authorization duly notarized, if the applicant is not the same in the basic application.
3. Two copies of the specification, claims and abstract of the invention.
4. Four sets of the formal drawings, if any, (one informal set, three formal sets).
5. A priority document along with its translation into the English, French or German language, when claiming priority.
6. Declaration of inventors, in case the inventor is not the applicant.

## RUSSIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Thirty prints of the trademark with a maximum size of 5x5 cm.
3. The list of the goods to be covered by the application.
4. A description of the device mark or meaning, if any, of the word mark.

## Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. Specification, claims, abstract and drawings.
4. A priority document, if convention priority is to be claimed.

## SERBIA and MONTENEGRO

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Ten prints (even for word marks).
3. A list of the goods to be covered by the application.
4. A priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the patent specification, claims and abstract.
3. Five sets of the formal drawings (one on Bristol board and one on tracing-paper).
4. A signed declaration stating that the applicant has the right to file the application.
5. A certified copy of the priority document if priority is to be claimed.

## SLOVAKIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Five prints of the trademark, (not required for word mark).
3. The list of the specific goods/services and the classes pertaining thereto.
4. Priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. Specification and claims with an abstract of the invention, in Slovak.
3. Drawings, if any.
4. A deed of assignment, if the applicant is not the inventor.
5. The priority document, if any.
6. Assignment of priority rights, if any.

## SLOVENIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The list of goods and/or services to be covered by the application and the classes pertaining thereto.
3. Eight prints of the mark (if a design mark or in color).
4. The priority document, if any.
5. If the priority application was filed by another applicant, the present applicant must sign a declaration explaining his right to file the application.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims and abstract.
3. Three sets of the formal drawings, if any.
4. The priority document, if any.
5. If the priority application was filed by another applicant, the present applicant must sign a declaration explaining his right to file the application.

## TAJIKISTAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Twenty prints of the trademark (5 x 5 cm).
4. A list of goods and services according to the International Classification.
5. The explanation or the meaning and origin of the mark.
6. A priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. Specifications, claims, abstract and drawings.
4. Data of the corresponding home or foreign registration.
5. A priority document, if priority is to be claimed.

## TURKMENISTAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Twenty prints of the trademark (5x5 cm).
4. A list of goods and services in accordance with the International Classification.

5. Explanation or the meaning and origin of the mark.
6. A priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. Specifications, claims, abstract and drawings.
4. Data of the corresponding home or foreign registration.
5. A priority document, if priority is to be claimed.

## UKRAINE

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address of the applicant.
3. Thirty prints of the trademark (8x8 cm).
4. A list of goods and services according to the International Classification.
5. The explanation or the meaning and the origin of the trademark.
6. A priority document, if priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and the inventor. Specification, claims, abstract and drawings.
3. Inventors declaration.
4. A deed of assignment.
5. A priority document, if priority is to be claimed.

## UZBEKISTAN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. The name and address data of the applicant.
3. Twenty five prints (5 x 5 or 5 x 10 cm).
4. A list of the goods and services according to the International Classification.
5. An explanation or the meaning and the origin of the trademark.
6. A priority document, if priority is claimed.

### Patent Applications

1. A simply signed power of attorney.
2. The name and address of the applicant and inventor.
3. Specifications, claims, abstract and drawings.
4. A priority document, if priority is claimed.

# Latin America Liaison Office

**Premises:** TAGI Campus, Queen  
Noor Street, Shmeisani, Amman  
921100 Amman 11192, Jordan

**P.O. Box:**

**Tel:** (962-6) 5100 900  
**Fax:** (962-6) 5100 902

**Email:** latinamerica@tagi.com  
**Website:** www.agip.com  
**Contact:** Mrs. Noura Jarrar

## ANGUILLA

### Trademark/Service Mark Applications

1. A notarized power of attorney for each application.
2. A statement of use or intent to use duly notarized.
3. An affidavit as to the entitlement to use the mark duly notarized.
4. The list of the goods and/or services and the classes pertaining thereto.
5. If a confirmation of UK registration, a certified copy of the UK registration.

### Patent Applications

1. A notarized power of attorney.
2. A certified copy of the UK/European patent.
3. A declaration duly notarized.

## ANTIGUA & BARBUDA

### Trademark/Service Mark Applications

1. A notarized power of attorney for each application.
2. A notarized statement signed by the applicant indicating the number of years for which the mark has been used by the applicant.
3. A notarized affidavit as to the entitlement to use the mark.
4. Prints of the mark.
5. The list of the goods and/or services and the classes pertaining thereto.

### Trademark Applications (re-registration of UK trademarks)

1. A notarized power of attorney.
2. A certified copy of the UK registration certificate.

3. A print of the mark.
4. The list of the goods and/or services and the classes pertaining thereto.

### Patent Applications

1. A notarized power of attorney.
2. A declaration duly notarized.
3. Three copies of the patent specification.
4. Two sets of the formal drawings.

### Patent Applications (confirmation of UK patents)

1. A notarized power of attorney.
2. A declaration duly notarized.
3. A certified copy of the UK patent including the specification and formal drawings.

## ARGENTINA

### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Argentinean Consulate, or duly apostilled.
2. A clear print of the trademark, (not required for word marks).
3. The full name and address of the applicant.
4. The list of goods and/or services and the classes pertaining thereto.
5. A priority document, if priority is claimed

### Patent Applications

1. A power of attorney signed by the applicant, notarized, and legalized up to the Argentinean Consulate.
2. One copy of the specification, claims and abstract. (for translation into Spanish).

3. Two sets of the formal drawings, in Bristol board and two soft copies.
4. A certified copy of the basic foreign patent application, if priority is to be claimed.
5. If the applicant in the Argentinean application is different from the applicant in the basic foreign application or the granted patent, an assignment deed from the foreign applicant will be required.
4. If the applicant is not the inventor, a statement of ownership will be required.
5. A duly notarized power of attorney.

## **BELIZE**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. A few prints of the trademark.
3. The list of the goods and/or services and the classes pertaining thereto.

### **Patent Applications**

1. A simply signed power of attorney.
2. An application form signed by the applicant.
3. A declaration signed by the applicant and legalized up to the British Consulate.
4. Specification, claims and abstract.
5. Formal drawings, if any.

### **Patent Applications (confirmation of UK patents)**

1. A simply signed power of attorney.
2. A certified copy of the UK patent including the patent specification and formal drawings.

## **ARUBA**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. Fifteen prints for each composite mark in black and white, and 25 prints for each mark in color.
3. The list of goods and classes pertaining thereto.

## **BAHAMAS**

### **Trademark Applications**

1. A simply signed power of attorney.
2. Prints of the trademark, (not required for word marks).
3. The list of the goods and classes pertaining thereto.
4. A certified copy of the basic application, if priority is to be claimed.

### **Patent Applications**

1. A simply signed power of attorney.
2. An application form signed by the applicant before a notary public.
3. Specification, claims, abstract and drawings.
4. Declaration signed by the applicant and notarized.
5. A priority document, if priority is to be claimed.

## **BARBADOS**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney for each application.
2. Prints of the trademark.
3. The list of the specific goods to be covered and the classes pertaining thereto.

### **Patent Applications**

1. An application on the prescribed form including the appointment of an agent and naming of the inventor. The document should be notarized.
2. The specification, claims and abstract of the invention (in English).
3. A set of the formal drawings, if any.

## **BERMUDA**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. An information sheet reflecting the name, address, nationality, state of incorporation and occupation. If the applicant is a partnership, the names of the partners are to be mentioned.
3. Four prints of the trademark.
4. A list of the goods and the classes pertaining thereto.
5. The date of use of the trademark in Bermuda, if any, or whether the trademark will be filed based on intent to use.

### **Patent Applications**

1. A simply signed power of attorney.
2. Specification, claims and abstract.
3. Two sets of the formal drawings, if any.

### **Patent Applications (confirmation of UK patents)**

1. A simply signed power of attorney.
2. A certified copy of the patent specification along with a set of the formal drawings, if any.

## **BOLIVIA**

### **Trademark/Service Mark Applications**

1. A power of attorney duly notarized and legalized up to the Bolivian Consulate.
2. Fifteen prints of the trademark.
3. The list of the goods and/or services and the classes pertaining thereto.

### **Patent Applications**

1. A power of attorney signed by the applicant, notarized and legalized up to the Bolivian Consulate. If the assignee applies, a power of attorney will be required from the inventor as well.
2. Three copies of the specification and claims. A Spanish translation is required.
3. Three sets of the formal drawings, if any.

## **BRAZIL**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney. The full name and the capacity of the signatory should be mentioned.
2. An affidavit or extract from the Commercial Registry attesting to the existence and field of activities of the applicant.
3. Prints of the mark, (not necessary for word marks).

### **Patent Applications**

1. A simply signed power of attorney. The full name and the capacity of the signatory should be stated.
2. Specification, claims and abstract of the invention. A Portuguese translation is required.
3. Four sets of the formal drawings, if any.
4. A deed of assignment by the inventor or declaration of assent if the assignee applies.
5. A certified copy of the home application when claiming convention priority accompanied by a sworn translation into the Portuguese language.

## **CHILE**

### **Trademark/Service Mark Applications**

1. A power of attorney legalized up to the Chilean Consulate.
2. Fifteen prints of the trademark, (not required for word marks).
3. Full name of the applicant, its profession, address and nationality.
4. If the trademark is in a foreign language, its

Spanish translation must be indicated.

5. The list of the goods/services and the classes pertaining thereto.

### **Patent Applications**

1. A power of attorney notarized and legalized up to the Chilean Consulate. If the applicant is not the inventor, an assignment of the inventor is required and may be stated in the power of attorney.
2. One copy of the specification, claims and abstract of the invention. A translation into the Spanish language is required.
3. Two sets of the formal drawings on tracing cloth, if any.
4. The number of the first foreign patent application. If granted, a copy of the corresponding letters patent.
5. A copy of the international search report and documents cited therein.
6. A priority document, if priority is claimed.

## **COLOMBIA**

### **Trademark/Service Mark Applications**

1. A power of attorney legalized up to the Colombian Consulate.
2. Three prints of the trademark, (not needed for word marks).
3. A list of goods/services and the classes pertaining thereto.

### **Patent Applications**

1. A power of attorney legalized up to the Colombian Consulate.
2. Specification and claims, together with an abstract of the invention in Spanish.
3. Formal drawings, if any.
4. If the Colombian application is based on a foreign application, a certified and legalized copy of the foreign application, together with a Spanish translation thereof, is to be filed.
5. A deed of assignment if the applicant is the assignee.
6. The full particulars of both the applicant and inventor.

## **COSTA RICA**

### **Trademark/Service Mark Applications**

1. A power of attorney legalized up to the Costa Rican Consulate if the applicant's country is not a member of the Central American Treaty.
2. A certified copy of the home registration of



the trademark. In its absence, a declaration of adoption may be filed. The document should be legalized as above.

3. Twenty prints of the trademark, (not required for word mark).
4. An exact list of goods to be protected by the mark and the classes pertaining thereto.

#### Patent Applications

1. A power of attorney legalized up to the Costa Rican Consulate.
2. Specification, claims and abstract of the invention. A translation into Spanish can be prepared locally.
3. Formal drawings, if any.
4. A certified and legalized copy of the patent application or registration in the home country including the description of the invention, its precise objectives, models or designs included in the patent and their description and its international classification.

### CUBA

#### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Five prints of the trademark, (not required for word mark).
3. The list of the goods/services and the classes pertaining thereto.
4. Priority document, if any.

#### Patent Applications

1. A simply signed power of attorney.
2. An application on the prescribed form.
3. Three copies of the specification and claims with an abstract of the invention. A Spanish text is required.
4. Four sets of the formal drawings.
5. A list of any corresponding applications filed in foreign countries together with the search reports.
6. For confirmation patents, a certified copy of the home patent registration legalized up to the Cuban consulate is required.

### DOMINICAN REPUBLIC

#### Trademark/Service Mark Applications

1. A power of attorney duly notarized legalized up to the consulate of the Dominican Republic.
2. Five labels of the trademark, (not required for word marks).
3. A list of the goods to be included in the application.

### ECUADOR

#### Trademark/Service Mark Applications

1. A power of attorney duly notarized and legalized up to the Ecuadorian Consulate.
2. Prints of the trademark, (not required for word marks).
3. The list of the goods/services and the classes pertaining thereto.
4. A legalized priority document, if priority is claimed.

#### Patent Applications

1. A power of attorney duly notarized and legalized up to the Ecuadorian Consulate.
2. Specification, claims and abstract. A Spanish translation is required.
3. Formal drawings, if any.
4. A legalized priority document, if priority is claimed.
5. A legalized deed of assignment signed by both the assignor and the assignee.

### EL SALVADOR

#### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the El-Salvadorian Consulate.
2. Prints of the trademark (not required for word marks): 30 colored prints, if colors are claimed.
3. The list of the goods/services and the classes pertaining thereto.

#### Patent Applications

1. A power of attorney apostilled or legalized up to the El-Salvadorian Consulate. If the applicant is a company, the notary public must state that the signatory is duly authorized to execute the document on behalf of the company and that the company is duly organized and existing under the laws of the country.
2. One copy of the specification and claims. A Spanish translation is required.
3. Three sets of the formal drawings, if any.
4. A certified copy of the home application, if priority is claimed.

### FIJI

#### Trademark Applications

1. A simply signed power of attorney.
2. Ten prints of the trademark if not in plain block letters.

3. The list of goods and the classes pertaining thereto.
4. If based on UK registration, a certified copy of the corresponding UK registration.

#### Patent Applications

1. A power of attorney simply signed by the applicant.
2. A declaration as to the utility, novelty and inventorship signed by the applicant or his agent.
3. Three copies of the specification and drawings, if any.
4. An assignment deed executed by the inventor if the application is made by the assignee.

#### Patent Applications (confirmation of UK patents)

1. A simply signed power of attorney.
2. A certified copy of the specification of the UK letters patent.

### GRENADA

#### Trademark/Service Mark Applications (re-registration of UK trademarks)

1. A simply signed power of attorney.
2. A certified copy of the UK registration.

#### Patent Applications (confirmation of UK patents)

1. A simply signed power of attorney.
2. A certified copy of the British patent registration

### GUATEMALA

#### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Guatemalan Consulate.
2. Fifteen prints of the trademark, (not required for word mark).
3. The list of the goods/services and the classes pertaining thereto.

#### Patent Applications

1. A power of attorney notarized and legalized up to the Guatemalan Consulate.
2. Specification, claims and drawings. A Spanish translation is required.
3. A deed of assignment executed by the inventors and the applicant duly legalized up to the Guatemalan Consulate.
4. A priority document, if priority is claimed.

### HAITI

#### Trademark/Service Mark Applications

1. 1. A simply signed power of attorney.
2. 2. Ten prints of the trademark, (not required for word marks).
3. 3. The list of the goods/services and the classes pertaining thereto.

#### Patent Applications

1. 1. A simply signed power of attorney.
2. 2. Three copies of the specification and claims. A French translation is required.
3. 3. Three sets of the drawings, if any.
4. 4. A priority document if priority is to be claimed.
5. 5. A deed of assignment duly notarized and legalized.

### HONDURAS

#### Trademark/Service Mark Applications

1. A power of attorney legalized up to the Honduran Consulate and clearly indicating the country/state of incorporation of the applicant.
2. Thirty prints of the trademark (if colors are to be claimed).
3. The list of the goods/services and the classes pertaining thereto.
4. Priority document, if priority is claimed.

#### Patent Applications

1. A power of attorney legalized up to the Honduran consulate.
2. Three copies of the specification and claims in Spanish.
3. Three sets of the formal drawings, if any.
4. A priority document, if priority is claimed.

### JAMAICA

#### Trademark Applications

1. A simply signed power of attorney.
2. Prints of the trademark, (not required for word marks). The list of the goods/services and the classes pertaining thereto.
3. pertaining thereto.

#### Patent Applications

- A) Re-registration of a foreign patent

- A simply signed power of attorney.
- A certified copy of a foreign patent.

- B) Communication from abroad.
- Specification, claims and abstract.

## MEXICO

### Trademark/Service Mark Applications

1. A power of attorney signed by the applicant in the presence of two witnesses with a mention of their names and addresses. If the applicant is a corporation, the power of attorney should indicate the date of incorporation. No attestation or legalization is required.
2. Statement of the date of first use, if any, of the trademark in Mexico or that the application is to be filed on the basis of intent to use.
3. Fifteen prints of the trademark, if it is a design.
4. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A power of attorney signed by the applicant in the presence of two witnesses with a mention of their names and addresses. If the applicant is a corporation, the power of attorney should indicate the date of incorporation. No attestation or legalization will be required.
2. Specification claims and abstract. A Spanish translation is required.
3. Four sets of the formal drawings, if any.
4. If the applicant is not the inventor, an assignment deed signed by the inventor should be filed or a certified copy of the assignment in the country of origin.
5. If priority is claimed, a certified copy of the home application accompanied with a sworn Spanish translation will be required.

## MONTSERAT

### Trademark/Service Mark Applications (substantive)

1. A notarized power of attorney.
2. The list of the goods/services and the classes pertaining thereto.
3. A notarized affidavit (form A).

### Trademark/Service Mark Applications (confirmation of UK registration)

1. A notarized power of attorney.

2. A certified copy of UK registration of the trademark.

### Patent Applications

1. A notarized power of attorney.
2. A certified copy of the UK/European patent.
3. A declaration duly notarized.
4. An affidavit duly notarized.

## NETHERLANDS ANTILLES

### Trademark Applications

1. A notarized power of attorney.
2. Fifteen original prints of the trademark.
3. The list of goods and the classes pertaining thereto.
4. A duly legalized extract from the Commercial Register stating who is legally representing the corporation.
5. Specific colors of the logo to be mentioned, if any.

### Patent Applications

The protection of Netherlands patents covers the Netherlands Antilles as well.

## NICARAGUA

### Trademark/Service Mark Applications

1. A power of attorney notarized and legalized up to the Nicaraguan Consulate.
2. Twenty prints of the trademark, (not needed for word marks).
3. A notarized declaration of adoption of the trademark or a notarized and certified copy of the certificate of origin.

### Patent Applications

1. A legalized power of attorney.  
If the applicant is not the inventor, the power of attorney form with an assignment must be used. The document should be signed by both parties and legalized up to the Nicaraguan Consulate.
2. Specification, claims and abstract. A Spanish translation is required.
3. Three sets of the formal drawings.
4. A certified copy of the home patent if priority is to be claimed.

## PANAMA

### Trademark/Service Mark Applications

1. A power of attorney together with Notarial Acknowledgement stating the existence and legal representation of the applicant corporation legalized up to the Panamanian Consulate or apostilled.
2. Information on the use or intent to use the trademark.
3. Ten prints of the trademark.
4. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A power of attorney showing the applicant's nationality, attested by a notary public and legalized by a Consul of Panama or apostilled.
2. In case of corporation, certificate as to the existence (or good standing) and legal representation thereof, duly legalized by Panama Consul or by an Apostille.
3. Patent specification and claims in Spanish.
4. Drawings, if any.

## PARAGUAY

### Trademark/Service Mark Applications

1. A power of attorney executed by the client or by the agent duly notarized.
2. Ten prints of the trademark, (not needed for word marks).
3. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A notarized power of attorney signed by the client or the agent.
2. Three copies of the patent specification and claims. A Spanish translation is required.
3. Three sets of the formal drawings.
4. A list of the applications filed or patents granted abroad, giving the date of filing, country of filing, and the patent number, if any.
5. For confirmation patent, a simple copy of the letters patent is required.

## PERU

### Trademark/Service Mark Applications

1. A power of attorney duly notarized (the Notary

Public must certify not only knowledge of the signer but also his capacity and ability to execute the document and duly legalized up to the Peruvian Consulate.

2. Fifteen prints of the trademark, (not needed for word marks).
3. The list of the goods/services and the classes pertaining thereto.
4. Priority document, if priority right is claimed.

### Patent Applications

1. A power of attorney duly notarized (the Notary Public must certify not only knowledge of the signer but also his capacity and ability to execute the document and duly legalized up to the Peruvian Consulate.
2. Four copies of the patent specification and claims in Spanish.
3. Four sets of the formal drawings.
4. A certified copy of the first foreign application if priority is to be claimed.
5. If the applicant in Peru is different from the foreign applicant, a deed of assignment of the priority rights duly legalized up to the Peruvian Consulate must be filed.
6. A deed of assignment from the inventor to the applicant duly legalized up to the Peruvian Consulate.

## PUERTO RICO

### Trademark/Service Mark Applications

1. The name of the applicant, business and mailing addresses, and telephone number.
2. Citizenship of the applicant, in case of an individual, or the place, state or country where the applicant was organized or incorporate.
3. List of goods/services and the classes pertaining thereto.
4. If the application is based on use, the date of first use is required and original specimens of the mark as used.
5. The application must be notarized and legalized by an 'Apostille' or by the consulate of the USA.

### Patents

There is no legislation in Puerto Rico, which provides for the registration of patents. The protection afforded by the US law on patents registered in that country also extends to Puerto Rico.

## **SURINAM**

### **Trademark Applications**

1. A simply signed power of attorney.
2. Fifteen prints of the trademark.
3. Application form (in duplicate) signed by the applicant.
4. The list of the goods/services and the classes pertaining thereto.

## **ST. KITTS and NEVIS**

### **Trademark Applications**

1. A notarized power of attorney.
2. A notarized declaration that the applicant is entitled to use and register the trademark.
3. If the trademark has been used, a notarized statement providing the name and address and a copy of the list of goods and the length of time that the mark has been used.

### **Trademark Applications (confirmation of UK trademarks)**

1. A notarized power of attorney.
2. A certified copy of the UK registration of the trademark.

### **Patent Applications**

1. A notarized power of attorney.
2. A certified copy of the UK/European letters patent.
3. A declaration duly notarized.

## **ST. LUCIA**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. Notarized declaration as to the entitlement to use the mark.
3. Statement of use or proposed use.
4. The list of the goods/services and the classes pertaining thereto.

### **Trademark Applications (confirmation of UK trademark)**

1. A simply signed power of attorney.
2. A certified copy of the British certificate of registration.

## **Patent Applications**

1. A simply signed power of attorney.
2. Three copies of the patent specification, claims and abstract.
3. Three sets of the formal drawings.

### **Patent Applications (confirmation of UK patents)**

1. 1. A simply signed power of attorney.
2. 2. A certified copy of the UK letters patent.

## **ST. VINCENT and the GRENADINES**

### **Trademark/Service Mark Applications (confirmation of UK trademarks)**

1. A simply signed power of attorney.
2. A certified copy of the UK registration.
3. Prints of the trademark.

### **Patent Applications**

1. A power of attorney duly notarized and legalized up to the British Consulate.
2. An application form duly notarized and legalized up to the British Consulate.
3. Three copies of the patent specification.
4. Three sets of the formal drawings, if any.

### **Patent Applications (confirmation of UK Patents)**

1. 1. A simply signed power of attorney.
2. 2. A certified copy of the UK letters patent.

## **TRINIDAD and TOBAGO**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney for each application.
2. Seven prints of the trademark, (not required for word mark).
3. The list of the goods/services and the classes pertaining thereto.

### **Patent Applications**

1. A simply signed power of attorney.
2. A copy of the patent specifications, claims, abstract and drawings, if any.
3. A notarized statement justifying the applicant's right to the invention, if he is not the inventor.



## TURKS AND CAICOS ISLANDS

### Trademark Applications

1. A simply signed power of attorney.
2. Six prints of the trademark.
3. The list of the goods/services and the classes pertaining thereto.
4. For registration of a UK trademark, a certified copy of the UK trademark registration or, if the registration is based on a foreign trademark, a certified copy of the said registration.

### Patent Applications (confirmation of UK patents)

1. A simply signed power of attorney.
2. A certified copy of the UK letters patent

## URUGUAY

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Seven prints of the trademark, (not needed for word marks).
3. International classification of the goods/ services to be covered.

### Patent Applications

1. A simply signed power of attorney.
2. A copy of the patent specification, claims and abstract. A Spanish translation by a certified translator in Uruguay is required.
3. Formal drawings, if any.
4. A priority document, if priority is claimed.

## VANUATU

### Trademark/Service Mark Applications (re-registration of UK trademarks)

1. A simply signed power of attorney.
2. A certified copy of the UK registration.

### Patent Applications (confirmation of UK patents)

1. A simply signed power of attorney.
2. A certified copy of the UK patent or European letters patent designating 'UK' including the specification and claims.

## VENEZUELA

### Trademark/Service Mark Applications

1. A power of attorney duly notarized and apostilled or legalized up to the Venezuelan Consulate.
2. Twenty five (7x7cm) prints of the trademark, if the device must be filed in colors.
3. The list of the goods/services and the classes pertaining thereto.
4. A priority document, if priority is to be claimed.

### Patent Applications

1. A power of attorney duly notarized and apostilled or legalized up to the Venezuelan Consulate.
2. Inventors oath and assignment executed by the inventor, notarized and apostilled or legalized up to the Venezuelan Consulate.
3. Four copies of the patent specifications and claims in Spanish.
4. Formal drawings, if any.
5. A certified copy of the foreign patent application, if priority is to be claimed.

# INDUSTRIALIZED LIAISON OFFICE

**Premises:** TAGI Campus, Queen  
Noor Street, Shmeisani, Amman  
**P.O. Box:** 921100 Amman 11192, Jordan  
**Tel:** (962-6) 5100 900  
**Fax:** (962-6) 5100 902  
**Alternative fax number  
for the Regional Office  
through Canada:** (1-514) 904 0288  
**Email:** industrialized@tagi.com  
**Website:** www.agip.com  
**Contact:** Ms. Dima Al Naber

## AUSTRIA

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Twenty three prints of the trademark, (not needed for word marks).
3. The list of goods and classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the specification, claims and abstract of the invention in German.
3. Two sets of the drawings, if any.

## AUSTRALIA

### Trademark/Service Mark Applications

1. Name and address of the applicant: state of incorporation (where applicable).
2. Six prints of the trademark, (not required for word marks).
3. List of goods/services and the classes pertaining thereto.
4. Details of the basic application(s), if priority is claimed.
5. An English translation of any words included in the trademark of a language other than English.
6. A transliteration in Roman letters of any characters included in the trademark constituting of words being characters that are not Roman letters together with a translation into English.
7. A copy of the priority document, if priority is claimed.

### Patent Applications

1. Three copies of the specification and claims.
2. Three sets of the formal drawings, if any.

3. A declaration signed by the applicant stating the name of the actual inventor and indicating the applicant's entitlement to registration rights.
4. A priority document with its certified English translation, if priority is to be claimed.

## BELGIUM

### Trademark/Service Mark Application

A trademark registered in BENELUX is protected in Belgium.

### Patent Applications

1. A simply signed power of attorney.  
Specification, claims, abstract of the invention in French or Dutch and drawings, if any.
2. A priority document if priority is to be claimed.  
The assignment deed of the priority right, if applicable.

## BENELUX

(covering Belgium, Netherlands and Luxembourg)

### Trademark/Service Mark Applications

1. A simply signed power of attorney. The full name and capacity of the signatory should be mentioned.
2. The full name and address of the applicant.
3. The list of the goods and/or services and the classes pertaining thereto.
4. Prints of the trademark, (not needed for word marks).

### Design/Model Applications

1. A simply signed power of attorney.
2. The full name and address of the applicant.

3. The photographic or graphic representation of the product to be protected.
4. The precise indication of the product in which the design or model is incorporated.

## CANADA

### Trademark/Service Mark Applications

A trademark application in Canada can be filed on the basis of any one of the following four options:

1. Use in Canada.
2. Intent to use in Canada.
3. Making known in Canada.
4. Use and registration abroad.

The requirements for filing a trademark application in Canada are the following:

1. A drawing of the trademark in black and white (size 7 x 7 cm), in case of a design mark. (This can be prepared locally)
2. The list of specific wares and/ or services in ordinary commercial terms.
3.
  - a. Use in Canada: Date of the first use of the trademark in Canada.
  - b. Intent to use: No further documents are required. (Eventually, in order to obtain registration, a declaration stating that the applicant or its licensees has started using the trademark in Canada must be filed with the Registrar.
  - c. Making known in Canada: Particulars of the distribution or advertising of the trademark will be necessary.
  - d. Foreign use and registration abroad: The date and number of the application /registration and eventually a certified copy of the registration must be filed with the registration.

*Note: For convention priority application, information such as the country, the filing date and the number of the application, on which priority will be based, is required. A certified copy of the basic application is no longer required.*

### Patent Applications

1. One copy of the specification, claims and abstract of the invention.
2. A set of the formal drawings, if any.
3. The particulars of the basic patent application, if priority is to be claimed. Priority must be

claimed within four months as of the Canadian filing date.

4. 4.A deed of assignment if the assignee is the applicant.

## DENMARK

### Trademark/Service Mark Applications

1. 1. Five prints of the trademark, (not needed for word marks).
2. 2. The list of the goods/services and the classes pertaining thereto.
3. 3. A deed of assignment, if any.

### Patent Applications

1. Two copies of the specification, claims and abstract of the invention in Danish.
2. Four sets of the drawings, if any.
3. A priority document if priority is to be claimed.
4. A deed of assignment, if any.

## EUROPEAN PATENT OFFICE (EPO)

(Munich, Germany)

European Union namely: Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, Netherlands, Portugal, Switzerland, Spain, Sweden, Turkey and the United Kingdom.

Extension countries: Albania, Latvia, Lithuania, Macedonia, Slovenia and Romania.

### Patent Applications

1. A simply signed power of attorney.
2. The particulars of the applicant.
3. If the applicant is not the inventor, a declaration of inventorship giving the full details of the inventors; i.e. name, address, nationality and details as to how applicant acquired rights to the invention.
4. Three copies of the specification including the claims and an abstract of no more than 150 words.
5. Three copies of the drawings, if any.
6. An assignment deed will be recommended to be filed if the assignee applies. (Recordation of assignment is only after publication of application; without registration of assignment, the assignee will not be a party to the proceeding before the EPO).
7. The priority document, if priority is to be claimed, together with a verified translation unless it is in English, German or French.

(The countries are automatically designated when using application form 1001. Designation has to be confirmed after 2 years from priority date).

## **EUROPEAN COMMUNITY TRADEMARK (CTM)** (Alicante, Spain)

A CTM registration will be one trademark right covering all the countries of the European Union namely:

Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, the United Kingdom, Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

### **Trademark/Service Mark Applications**

1. A power of attorney signed by the applicant, indicating the full name and position of the signatory.
2. The particulars of the applicant.
3. Prints of the mark.
4. A list of goods and/or services and the classes pertaining thereto.

## **FALKLAND ISLANDS**

There is no need to file applications for trademarks, as a UK registration now automatically extends to the Falkland Islands.

### **Patent Applications**

1. A simply signed power of attorney.
2. A certified copy of the UK letters patent.
3. Additional certified copy of the UK granted patent.

## **FINLAND**

### **Trademark/Service Mark Applications**

1. A simply signed power of attorney.
2. Seventeen prints of the trademark, (not required for a word mark).
3. A certified copy of the home registration of the trademark (unless such a requirement is waived under reciprocal treatment).
4. A list of goods/services and the classes pertaining thereto.
5. Priority data.

### **Patent Applications**

1. A simply signed power of attorney.
2. Specification in Finnish and a set of the claims and

- abstract of the invention in Finnish and Swedish.
3. One set of the drawings on white drawing paper, if any.
4. A deed of assignment from the inventor, if he is not the applicant.
5. A priority document and priority assignment deed if priority is to be claimed.
6. Examination results in other countries where available.

## **FRANCE**

### **Trademark/Service Mark Applications**

1. Seven prints of the trademark, (not required for word marks).
2. The list of the goods/services and the classes pertaining thereto.
3. The priority document, if priority is claimed.

### **Patent Applications**

1. A simply signed power of attorney.
2. A copy of the specification, claims and abstract in French.
3. Formal Drawings.
4. The full particulars of both the applicant and inventor.
5. A deed of assignment if the assignee applies.
6. A certified copy of the basic application if priority is to be claimed.

## **GERMANY**

### **Trademark Applications**

1. A print of the mark, if in black and white and seven prints, if in color.
2. The list of the goods/services and the classes pertaining thereto.
3. In case of priority claim:
  - a. Priority date and country.
  - b. Serial number/s and an uncertified copy of the priority applications.

### **Patent Applications**

1. Three copies of the specification and claims in the German language. The necessary translation can be prepared upon request.
2. Three sets of the drawings, if any.
3. A statement of inventorship.
4. An abstract of the invention not exceeding 150 words.
5. In case of priority claim:

- a. Priority date and country.
- b. Serial number/s and an uncertified copy of the priority applications.

## GREECE

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Fifteen prints for colored trademark; otherwise, one clear print of the device.
3. A certified copy of the home registration when the home country of the applicant is Taiwan.

*Note: Applicants from countries having reciprocity treatment with Greece are not required to submit a certified copy of the home registration of a trademark when filing non-convention applications in Greece.*

### Patent Applications

1. A simply signed power of attorney.
2. Two copies of the specification, claims and abstract.
3. Two sets of the formal drawings, if any.
4. A certified copy of the home registration or application with its translation thereof.

## ICELAND

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Eight prints of the trademark, (not needed for word marks).
3. A list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. A notarized or legalized deed of assignment signed by the inventor, if he is not the applicant.
3. Four copies of the specification, claims and abstract in English, Danish, Norwegian or Swedish.
4. Four sets of the formal drawings, if any.
5. A priority document if priority is to be claimed.

## IRELAND

### Trademark Applications

1. The list of the goods and classes covered by the application.
2. Two prints of the trademark (not required for word

marks). If color is claimed, 12 color prints.

3. A priority document, if priority is claimed.

### Patent Applications

1. Authorization form.
2. Specification, claims, abstract and drawings, if any.
3. A priority document with its verified English translation, where applicable, if priority is to be claimed.

## ITALY

### Trademark/Service Mark Applications

1. A simply signed power of attorney. The name and capacity of the signatory should be stated.
2. Seventeen prints of the trade/service mark.
3. The list of goods and/or services and the classes pertaining thereto.
4. The applicant's name, domicile and address.

### Patent Applications

1. A simply signed power of attorney. The name and capacity of the signatory should be stated.
2. Four copies of the specification, together with an abstract of the invention.
3. Four sets of the formal drawings, if any.
4. A deed of assignment of the priority rights notarized and legalized or 'apostilled' only if the applicant in Italy is other than the applicant abroad.
5. A priority document if priority is to be claimed together with its Italian translation.
6. A designation of the inventor.

## JERSEY

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. A certified copy of the UK registration certificate.

### Patent Applications

1. A simply signed power of attorney.
2. A certified copy of the UK letters patent.

## LIECHTENSTEIN

### Trademark Applications

1. A simply signed power of attorney: the exact name and position duly inserted.



2. Ten prints of the trademark.
3. The list of the goods/services and the classes pertaining thereto.
4. Priority document, if priority is claimed.

### Patent Applications

Due to the existence of an agreement between Liechtenstein and Switzerland, the two countries constitute a single territory for patent protection purposes. The Swiss Intellectual Property Office has been assigned with the performance of the administrative tasks related thereto.

## LUXEMBOURG

### Trademark/Service Mark Applications

A trademark/service mark registered in "BENELUX" is protected in Luxembourg.

### Patent Applications

1. A simply signed power of attorney.
2. Patent specification, claims in either French or German, and drawings, if any.
3. An assignment deed of the priority rights.
4. An inventor's declaration where the inventor may specify that his name should be neither published nor mentioned in official documents.
5. A priority document if priority is to be claimed.

## MALTA

### Trademark/Service Mark Applications.

1. Prints of the trademark, (not needed for word marks).
2. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A power of attorney notarized and "apostilled" according to the Hague Convention or legalized up to the Maltese Consulate.
2. Three sets of the specification and drawings.
3. A certified copy of the basic application to claim convention priority, along with an English translation if not in English.

## MONACO

### Trademark/Service Mark Application

1. A simply signed power of attorney for each trademark.

2. Ten prints of the trademark, (not needed for word marks).
3. The list of goods and/or services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney for each application.
2. Four copies of the specification in French.
3. Four sets of the formal drawings, if any.
4. A priority document if priority is to be claimed.
5. An assignment deed of the priority rights if the applicant is not the same as the inventor.

## NETHERLANDS

### Trademark/Service Mark Applications

A trade/service mark registered in "Benelux" is protected in Netherlands.

### Patent Applications

1. A simply signed power of attorney.
2. A copy of the patent specification and claims for translation purposes.
3. Three sets of the formal drawings, if any.
4. A priority document, if priority is to be claimed.
5. An assignment deed of the priority rights if the applicant is not the inventor.
6. An abstract of the invention (between 50 and 250 words).
7. The full name and address of the inventor.

## NORWAY

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Fifteen prints of the trademark, (not needed for word marks).
3. A certified copy of the home registration certificate of the trademark (not needed from applicants from countries which grant Norway a reciprocal treatment).
4. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims, abstract and drawings.
3. A deed of assignment if the applicant is other

- than the inventor.
4. A priority document if a convention priority is to be claimed.

## PORTUGAL

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Fifteen prints of the trademark.
3. The list of the goods and the classes pertaining thereto.
4. The full particulars of the basic trademark application if convention priority is to be claimed. The priority document may be submitted at a later date.

### Patent Applications

1. A simply signed power of attorney.
2. Two copies of the patent specification, claims and abstract of the invention, not exceeding 150 words.
3. Two sets of the formal drawings, if any.
4. The full particulars of the basic patent application if convention priority is to be claimed.

A priority document will be necessary only if it is requested by the Patent Office.

## SPAIN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Prints of the trademark.
3. A priority document, if priority is to be claimed.
4. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. The specification, claims, abstract of the invention and formal drawings, if any.
3. An application form.
4. A statement indicating how the applicant has acquired the right to the patent if the applicant is not the inventor.
5. A priority document, if priority is to be claimed.

## SWEDEN

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. A certified copy of the home registration of the trademark.

3. Eleven prints of the trademark, (not required for word marks).
4. The list of the goods/services and the classes pertaining thereto.

### Patent Applications

1. A simply signed power of attorney.
2. Specification, claims, abstract of the invention and drawings.
3. A deed of assignment if the applicant is not the inventor.
4. Full particulars of the basic application on which the priority is claimed.
5. A priority document if priority is to be claimed.

## SWITZERLAND

### Trademark/Service Mark Applications

1. A simply signed power of attorney.
2. Fifteen prints of the trademark not exceeding 8 cm, (not required for word marks).
3. A certified copy of the priority document, if convention priority is to be claimed.

### Patent Applications

1. A simply signed power of attorney.
2. Three copies of the patent specification, claims, abstract of the invention in German, French, or Italian.
3. A priority document with its translation into German, French, or Italian if priority is to be claimed.
4. Three sets of the formal drawings, if any.
5. Declaration of inventorship.

## UNITED KINGDOM

### Trademark/Service Mark Applications

1. The full name, address and country of incorporation of the applicant company.
2. A list of the goods and/or services to be covered by the trademark application.
3. Four prints of the trademark.

### Patent Applications

1. Two copies of the specification and an abstract of the invention in no more than 150 words.
2. Two sets of the drawings, if any.
3. If the application is made by the assignee, a statement identifying the inventor and indicating the derivation of the applicant's right to be granted a patent should be submitted.

## UNITED STATES OF AMERICA

### Trademark/Service Mark Applications

A trademark application can be filed in the United States of America on one of the following four bases only:

1. 1. Use in commerce of the trademark in the United States of America.
2. 2. Bona fide intent to use the trademark in the United States of America.
3. 3. Home registration.
4. 4. Home application with a convention priority claim.

**The requirements for filing a trademark application in the United States of America are the following:**

1. An application form (may be executed by the attorney on behalf of the applicant).
  - a. If the applicant is a corporation, give the name and the title of the corporation officer who will sign the application.
  - b. If the applicant is a partnership, give the names of all general partners and the name of the partner who will sign the application.
  - c. If the applicant is an individual, give the name of his country and citizenship.
2. Prints of the trademark (if other than a word mark).
3.
  - a. a) If the trademark has been used in commerce with the United States of America in connection with all the goods/services, give the following details:
    - Date of the first use of the trademark anywhere.
    - Date of the first use of the trademark in commerce with the United States of America.
    - Four specimen labels showing the mark as used. For services, provide advertisements or sales brochures.
  - b. If the application is to be filed on the basis of bona fide intent to use the trademark, state the fact. Actual use will be required before registration will be granted.
  - c. If the application is based on a foreign registration in the country of origin, a certified copy of the registration and an English translation are required. A statement of bona

fide intention to use the mark.

- d. If the application is based on home application with a claiming priority, a photocopy of the home application or full details of the home application and a certified copy of the resulting registration will be required before registration will be granted.

Since the application form to be executed by the applicant varies according to the options mentioned above, the correct application form can be made available when the applicant declares the basis on which the application will be filed in the United States of America.

### Patent Applications

1. A combined declaration/power of attorney signed and dated by the inventor(s) with their names, addresses and citizenship.
2. Specification claims and abstract.
3. A set of the drawings, if any.
4. A deed of assignment, if the application is filed by an assignee.

## VIRGIN ISLANDS (United States)

### Trademark/Service Mark Applications

A United States trademark registration automatically extends to cover the Virgin Islands. However, it is possible to record the US registration at the Office of the Lieutenant Governor. A certified copy of the US registration certificate is required.

### Patent Applications

A United States patent registration automatically extends to cover the Virgin Islands. However, it is possible to record US patents at the Office of the Government Secretary. A certified copy of the US letters patent is required.

## VIRGIN ISLANDS (BRITISH)

### Trademark/Service Mark Applications

1. A notarized power of attorney.
2. A notarized declaration as to the entitlement to use the trademark.
3. A notarized statement of use or of proposed use.
4. The list of the goods/services and the classes pertaining thereto.

### **Trademark Applications (confirmation of UK registration)**

1. A notarized power of attorney.
2. A certified copy of the UK registration of the trademark.

### **Patent Applications**

1. A notarized power of attorney.
2. A certified copy of the UK/European patent registration.
3. A declaration duly notarized.
4. An affidavit duly notarized.
5. Three copies of the specification, claims and abstract.