



المجمع العربي للملكية الفكرية
Arab Society for Intellectual Property

How to Become an Arab Certified Intellectual Property Practitioner (ACIPP)



www.aspip.org



- United Nations Economic and Social Council (ECOSOC).
- Observer status with the World Intellectual Property Organization (WIPO).
- Intellectual Property Constituency (IPC) of the Internet Corporation for Assigned Names and Numbers (ICANN).



ASIP Mission

Towards Promoting Arab Creativity

The objective of Intellectual Property (IP) discipline is the promotion of economic, social and cultural progress of society through the development and monitoring of global rules and treaties of Intellectual Property Rights (IPRs), which motivate innovation and knowledge creation.

Talal Abu-Ghazaleh
President of Board of Directors



The Arab Society for Intellectual Property (ASIP)

ASIP is a non-profit organization that was established on February 23, 1987 in Munich, Germany, by some of the top practitioners in the various fields of Intellectual Property (IP) in the Arab region, headed by Mr. Talal Abu-Ghazaleh.

The Society aims at bringing IP professionals and practitioners in the Arab region together to help in increasing the awareness and understanding of Intellectual Property (IP) issues and their dynamics.

ASIP functions in accordance with its statutes, and is made up of two main bodies, the Board of Directors, which administers ASIP's activities through a management team and a General Assembly, made up of all ASIP members.

ASIP membership is open to all IP professionals and practitioners who desire to join, benefit from, and participate in ASIP's activities provided they meet the membership criteria. In addition, ASIP offers its members a free forum where they can express their views, exchange experiences and unite their efforts to help in the modernization and development of IP laws and systems.

Moreover, the Society works to foster the development of IP laws, systems, the profession in the Arab region, and enhance the potentials of Arab practitioners.

The Arab Certified Intellectual Property Practitioner "ACIPP"

ACIPP is a professional Arabic program offered to Arab practitioners in order to equip them with a better and easier understanding of modern principles that govern IP and access to knowledge and international developments. The practitioner may be able to provide his/her services in line with international standards.

IP continues to develop at rapid speed in order to match the scientific and economic progress to which it contributes to, and underlines the new "economy of globalization" and the continued liberalization of trade in goods and services.

At a time the Arab economies integrate with the world economy, the need arises for local qualified professionals to manage and meet these changes, and being equipped with IP knowledge helps them meet such a great challenge.

The Program

Through a combination of teaching and training tools, which include practical experience, ACIPP is designed to give participants a solid base and real understanding of IP principles, tools and their applications.

The program focuses on four main IP disciplines with an option to select one of the advanced courses in IP subjects, as well as practical legal and business skills and systems. The course is presented in cooperation with Talal Abu-Ghazaleh College of Business- German-Jordanian University (TAGCB/GJU).

All graduates of the ACIPP program will be offered a position at Talal Abu-Ghazaleh Organization (TAGOrg) in an IP-related profession.

The Courses

A. THE MODULES:

Each course offered for any given modules represents almost 40 - 60 study hours including practical training at accredited IP agents or law firms.

The modules are:

Module One: Introduction to Intellectual Property (IP)

Module Two: Trademarks and Unfair Competition (+ training)

Module Three: Copyright and Related Rights (+ training)

Module Four: Patents of Inventions and Trade Secrets (+ training)

B. THE ADVANCED COURSES:

Each Advanced Course will be at least 36 study hours, addressing in depth subjects and issues not covered by the papers.

The Training

The Arab Certified Intellectual Property Practitioner Program (ACIPP) focuses on the practical side of Intellectual Property (IP) and allows students to develop their skills inside and outside the classroom.

In the last weeks of each course, the ACIPP program will be offering intensive training for three to four weeks in copyrights, trademarks, unfair competition, patents, and trade secrets with experts from government agencies, businesses, law firms, and agencies focused on Intellectual Property inside the classroom.

Training is offered after the course, in which program participants visit Intellectual Property (IP) agencies to understand how IP concepts are applied in the field.



Examination and Certificate Requirements

Upon completing each modules course, an attendance certificate will be issued to each participant. This attendance certificate is granted only if a person attends at least 75% of the course lectures.

After successfully passing each ACIPP Paper course examination (obtaining a minimum score of 65/100), a student is granted one of the ACIPP certificate(s):

- Introduction to Intellectual Property (IP)
- Trademark Arab Certified Practitioner (TMACP)
- Copyright Arab Certified Practitioner (CPACP)
- Patent Arab Certified Practitioner (PACP)

Any person who meets the enrollment requirements may sit for the final examination of the module without attending the lectures. ASIP will provide the person with all course materials from which to study for the final examination upon their payment of the examination fees.

The ACIPP Certificate

In order for an individual to obtain the Arab Certified Intellectual Property Practitioner Certificate, they must complete and successfully pass the examinations of modules No. 2, 3, and 4. In respect of *module* No.1 , it is merely an introduction for individuals who have no knowledge or experience in IP, and is not required for obtaining the ACIPP certificate.

Who Should Apply for this Program?

- Attorneys seeking greater knowledge and understanding of Intellectual Property (IP).
- Individuals who are working in business and management.
- Government employees working in IP registration, trade and investment.
- Advanced paralegals and trademark administrators and other professionals who manage IP portfolios.
- Marketing and advertising professionals, patent and copyright attorneys desiring a primer on trademark law.
- IP rights holders and owners, such as writers and innovators and other professionals who want to know more about Intellectual Property policies and practices.
- Individuals of a pure scientific or technical background, such as scientists, chemists, and engineers, who wish to increase their IP knowledge.



The Curriculum

1 Module One: Introduction to Intellectual Property (IP)

I. HISTORICAL BACKGROUND

II. UNDERSTANDING INTELLECTUAL PROPERTY

1. Basic Concepts and Principles
2. International Dimensions of IP
 - A. International Agreements
 - B. International Organizations
 - C. International Registration

3. National Dimensions of IP
 - A. Domestic Laws and Legal Systems
 - B. Economic Importance of IPRs Protection

III. DISCIPLINES OF INTELLECTUAL PROPERTY

1. Trademarks
2. Patents of Inventions
3. Unfair Competition and Trade Secrets
4. Copyrights and Neighboring Rights

5. Geographical Indications
6. Industrial Designs
7. Integrated Circuits Designs
8. New Plant Varieties

IV. IP TERMINOLOGY IN THE ENGLISH LANGUAGE

2 Module Two: Trademarks and Unfair Competition

● PART ONE: TRADEMARKS

I. INTRODUCTION

1. Definition
2. Kinds of Marks:
 - A. Trademarks
 - B. Service marks
 - C. Collective marks
 - D. Certification marks

- E. Famous and well-known marks and their special status:
 - (i) Criteria for considering a mark famous
 - (ii) Famous and well-known marks on the international forum (Paris Convention and TRIPS)
 - (iii) WIPO Joint Recommendations concerning protection of well-known marks
 - (iv) Scope of protection

II. REGISTRABLE TRADEMARKS

1. Kinds of Registrable Marks.
2. Requirements for Registrability:
 - a. Legality,
 - b. Distinctiveness.
 - i. Unregistrable Trademarks
 - ii. Registration procedure:
 - a. General Overview on the procedure
 - b. Examination (form & substance)
 - c. Searching
 - d. Acceptance and Publication

- e. Modification of a Trademark
- f. Registration Form
3. Cancellation of Trademark Registration:
 - a. Subject Matter of Cancellation.
 - b. Invalidity
 - c. Revocation
 - d. Assignment by the Trademark Owner
 - e. Expiry
 - f. Non-use

III. OWNERSHIP AND RIGHTS CONFERRED

1. Ownership:

- a. First to use
- b. Right of priority
- c. Honest concurrent use.

2. Rights conferred:

- a. Exclusivity of the trademark
- b. Right of Exploitation
- c. Assignment
- d. Use

e. License

f. Mortgage and seizure

3. Prohibition of unauthorized use

4. Trademarks Piracy

- a. Counterfeiting
- b. Imitation of labels and packaging
- c. Other prohibited acts
- d. Establishment of infringement
- e. Pre-requisites of i

IV. LEGAL PROTECTION

1. Civil action

2. Criminal action

3. Provisional protection

4. Remedies available

V. TRAINING

Three weeks of practical experience.

● PART TWO: UNFAIR COMPETITION

I. GENERAL DEFINITION

- 1. What is Unfair Competition?
- 2. Criteria of Fairness
- 3. Requirements of Unfair Competition
 - A. Use in Trade

- B. Competition in Commercial or Industrial Businesses
- C. Competitive Relationships
- D. Intent or Actual Damage

II. TYPES OF UNFAIR ACTS

1. Causing Confusion

- A. General Approach
- B. Types of Confusion
- C. Confusion as to the Establishment

i. Establishment Get-up, Decoration and Advertisements

ii. Trade names

- D. Confusion as to the Products or Services

i. Indications/business identifiers

ii. Trademarks

iii. Product's outer appearance

2. Discrediting Competitors

- A. General Approach
- B. Subject Matter of Disparagement
- C. Reference to Competitors, or to Products/Services
- D. Disparagement and Defamation
- E. Statements of Facts
- F. True and False Statements

G. Conditions for Liability

H. Comparative Advertising

3. Misleading

- A. General Approach
- B. The Concept of Misleading
- C. The subject Matter of Misleading
- D. Communication of Misleading Statements.
- E. Puffing and Exaggerations
- F. Subjective Requirements and Burden of Proof.
- G. Examples of Misleading Acts

4. Other Acts of Unfair Competition

- A. Free Riding
- B. Nuisance Advertising
- C. Comparative Advertising
- D. Sales Promotion
- E. Impeding of Market Activities
- F. Dumping

III. LEGAL PROTECTION

- 1. Civil Protection
- 2. Provisional Protection

- 3. Remedies Available
- 4. Case Studies

IV. TRAINING

One week of real work experience

3 Module three: Copyrights

I. SUBJECT MATTER OF COPYRIGHT

1. General

- A. Protection does not extend to ideas
- B. The Condition of Originality
- C. Absence of Formalities

2. Protected Works

- A. Literary works
- B. Artistic Works, Scientific Works
- C. Computer Programs
- D. Compilations of Data.

E. Right of Reproduction

- i. Performing Rights
- ii. Broadcasting Rights
- iii. Recording Rights
- iv. Cinematographic Rights
- v. Translation and adaptation Rights
- vi. Related Rights

3. Unprotected Works

II. OWNERSHIP AND RIGHTS CONFERRED

1. Ownership

- A. Ownership and authorship
- B. Who is the Author?

i. Commissioned Works

- ii. Employer - Employee Relationship
- iii. Works of Joint Authorship

III. Translation and Performance Works

2. Rights Conferred

- A. Subject Matter of Author's Rights
- B. Moral Rights

i. General

- ii. Characteristics of Moral Rights
- iii. Right of Disclosure
- iv. Right of Paternity
- v. Right of respect of the Work and its Integrity.
- vi. Right of Withdrawal.

- C. Economic Rights

i. General

- ii. Characteristics
- iii. Right of Reproduction
- iv. Right of Communication to the Public
- v. Right of Transformation

D. Exploitation Rights

i. Assignment

- ii. Mortgage and Seizure
- iii. Licensing

E. Prohibition of Unauthorized Use

F. Exceptions to the Right Conferred

G. Non-voluntary Licensing

H. Fair Use Doctrine

i. Concept

- ii. Conditions/ Criteria of Fair Use
- iii. Fair Use and Personal Use.
- iv. Cases of Fair Use.

III. INTELLECTUAL PROPERTY AND TRADITIONAL CULTURAL EXPRESSIONS

IV. INTELLECTUAL PROPERTY AND TRADITIONAL CULTURAL EXPRESSIONS

- A. Introduction
- B. Tangible and Intangible Expressions of Culture.
- C. Use of the Term "Traditional"

D. A Working Description of Traditional Cultural Expressions.

- E. Describing "Traditional Cultural Expressions

V. TRADITIONAL KNOWLEDGE

A. Introduction.

B. Traditional Knowledge and the Intellectual Property (IP) System.

C. Traditional Knowledge and the Global Marketplace.

D. Challenges for the Future.

VI. LEGAL PROTECTION

1. Civil
2. Criminal

3. Remedies Available

4 Module Four: Patents of Inventions and Trade Secrets

● PART ONE: PATENTS OF INVENTIONS

I. PATENTABLE INVENTIONS

1. Types of Patents
2. Types of Patentable Inventions

3. Utility Models

II. REGISTRATION

1. Requirements for Patentability:
A. Novelty
B. Inventive Step (Non-obviousness)
C. Industrial Applicability
D. Disclosure of the Invention
2. Unregisterable Inventions
3. Registration Procedure

A. General Overview on the Procedures
B. Identification of the Invention
C. Examination (form and substance)
D. Searching
E. Acceptance and Publication
F. Modification of a Patent
G. Registration Form

III. OWNERSHIP

1. Ownership
A. Inventor or his Successors
B. First to File / Right of Priority
C. Employer/ Employee Relationship
D. Joint Inventions
E. Rights Conferred
i. Exclusivity of the Patents
ii. Exploitation (Use & Assignment)
iii. Mortgage and Seizure
iv. Licensing
v. Prohibition of Unauthorized Use
vi. Infringement

G. Exception to the Rights Conferred:
Compulsory licensing:
i. Introduction
ii. Cases of Compulsory Licensing
iii. Conditions of Compulsory Licensing
iv. Doha Declaration
H. Cancellation of a Patent Registration .
I. Assignment by the Owner.
J. Expiry of the Patent.
K. Non-payment of Fees.
L. Forfeiture or Revocation in Cases of Abuse.

● PART TWO: TRADE SECRETS

I. WHAT CONSTITUTES A TRADE SECRET?

1. Not Being Known.
2. The Commercial Value.

3. Subject to Reasonable Measures to Maintain its Secrecy.
4. Patents and Trade Secrets.

II. OWNERSHIP AND RIGHTS CONFERRED

1. Trade Secret Proprietor.
2. Exclusive Right to Use, Sell or Disclose.

3. The Right to Prohibit Unauthorized Disclosure.

III. TRADE SECRETS PIRACY

1. Prohibited Acts

- A. Breach of Contract.
- B. Breach of Secrecy.
- C. Third Party Acquisition.

2. Permitted Acts:

- A. Reversed Engineering.
- B. Attainment of Information by Independent Means.

IV. HOW TO PROTECT YOUR TRADE SECRETS

1. Non-disclosure Agreements

2. Precautionary Measures

V. LEGAL PROTECTION

1. Civil Protection (Civil Action)
2. Criminal Action
3. Interim Injunctions

4. Provisional Protection
5. Remedies Available

VI. TRAINING

Four weeks of real work experience.

Enrollment Requirements

Individuals wishing to take a course of the ACIPP Program must hold a two or four year university degree to register for any of the four modules or advanced courses.



Study Material:

The main reference for all four modules of the program is the WIPO Intellectual Property Handbook: Policy, Law and Use. The guide was translated into Arabic since the program is taught in Arabic. It is copyrighted to both the Arab Society for Intellectual Property (ASIP) and the World Intellectual Property Organization (WIPO). Additionally, the United States Patent and Trademark Office (USPTO) book "Intellectual Property and You," for which ASIP President, Mr. Talal Abu-Ghazaleh wrote the introduction and is also used as a main reference for the course.

Furthermore, the "How to Become an Arab Certified Intellectual Property Practitioner" Guide contains a list of supplemental references used throughout the program, including the book "How to Get a European Patent" published by the European Patent Office (EPO). All references are well-known sources on Intellectual Property recommended by lecturers of the program and experts in the field.

For registration and payment, kindly contact us at the following:

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*The Arab Certified Intellectual Property Practitioner
Program (ACIPP) Qualification Advisory Board*

Mr. Talal Abu-Ghazaleh (Chairman)

Dr. Heinz Goddar (Vice Chairman)

Ms. Samar Allabbad

H.E. José María Figueres Olsen

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Mr. Mohammad Hegazy

Mr. Tawfiq Tabbaa

Mr. Hisham Kurdi

Mr. Mu'tasem Dmour (Secretary)

- **Mr. Talal Abu-Ghazaleh - Chairman of the Board**

- **Dr. Heinz Goddar – Vice-Chair of the Board**

Heinz Goddar works as a European and German patent attorney in Munich, Germany. He is the former president of Licensing Executive Society (LES) International as well as of Licensing Executive Society (LES) Germany. He teaches IP law, with a focus on licensing and technology transfer, at the Munich Intellectual Property Law Center (MIPLC) as well as at the University of Bremen, Germany, and also at several foreign universities.

- **Ms. Samar AlLabbad – Board Member**

Ms. Al-Labbad possess more than twenty years of experience in intellectual property. She is currently the Deputy Chair of the Talal Abu-Ghazaleh Organization (TAGorg), Ms. Al-Labbad is also in charge of Abu-Ghazaleh Intellectual Property (Egypt Office). Her Board membership includes among others, the Arab Society for Intellectual Property (ASIP), Licensing Executives Society Arab Countries (LES-AC), and the Arab Center for Mediation and Arbitration (AIPMAS). Ms. Al-Labbad is currently a member of the International Chamber of Commerce (ICC) Commission on E-Business, IT and Telecoms (EBITT) and a member of the ICC Commission on Intellectual Property (IP), a member of ICC Business Action to Support Information Society (BASIS), She served as a member of the Business Constituency (BC) of the Domain Name Supporting Organization (DNSO) of the Internet Corporation for Assigned Names and Numbers (ICANN) . Ms. Al-Labbad has a BA in Business Administration, Alexandria University (1985).

- **H.E. José María Figueres Olsen- Board Member**

As President of Costa Rica (1994-98), José Maria Figueres created a comprehensive national sustainable development strategy, combining sound macroeconomic indicators, strategic human development investments, and a strong alliance with nature. Prior to serving as President he was Minister of Foreign Trade (1987-1988) and Minister of Agriculture (1988-1990). In the international arena, President Figueres has pioneered the linkage between sustainable development and technology. He helped create and lead the United Nations ICT Task Force as its first Chairperson. In 2000, President Figueres joined the World Economic Forum and became its first CEO in 2003, where he strengthened global corporate ties to social and governmental sectors by identifying common long-term interests. Today, he is the CEO of the Grupo Felipe IV, based in Spain. He holds an Industrial Engineering Degree from the U.S. Military Academy at West Point, and a Masters in Public Administration from the John F. Kennedy School of Government, Harvard University. For more information, please visit Mr. Figueres' website: <http://www.josemariafigueres.org>.

- **Professor John R. Small - Board Member**

Professor John Small is a Special Advisor to the Chairman and Chief Executive of the Talal Abu-Ghazaleh Organization (TAGorg) and is also a director of and a consultant to a number of private sector companies. He is a Chartered Certified Accountant (UK) and a Chartered Management Accountant (UK). He is a former president of the Association of Chartered Certified Accountants (ACCA) and a former chairman of the Education Committee of the International Federation of Accountants (IFAC). He also was the Chairman of the Accounts (Audit) Commission Scotland for nine years. He is Emeritus Professor of Accountancy and Finance at Heriot-Watt University Edinburgh and was also on the staff of the Universities of Edinburgh and Glasgow and has practical experience of both the private and the public sectors having served on the boards in a number of both public and private sector organizations.

● **Dr. Edward J. Gress - Board Member**

Dr. Edward J. Gress is a Senior Advisor to the Chairman of the Talal Abu-Ghazaleh Organization (TAGorg) and Talal Abu-Ghazaleh College of Business (TAGCB). He holds a BBA and MBA degrees from the American University of Beirut, and a Ph.D. from the University of Arizona. Dr. Gress is currently Professor of Accounting at Canisius College in Buffalo, New York, where he also serves as the Chairman of the Department of Accounting and Director of Graduate Accounting Programs. In addition to teaching, Dr. Gress has worked as a consultant for manufacturing and service organizations, and is active in conducting professional training courses in accounting and finance subjects.

● **Dr. Ulrich Moser – Board Member**

Ulrich Moser is a certified German public auditor with a strong focus on valuation of Intellectual Property Rights (IPRs) and portfolios of them, valuation of innovative technologies and valuations for purchase price allocation. He is a former partner of a big four accounting firm and now acts as a management consultant in the field of Intellectual Asset Management and IP Valuation. He lectures on valuation and IP valuation at several universities of applied sciences and business schools. He regularly publishes articles on valuation and is an editor of "Practitioner's Guide to Valuation."

● **Mr. Hamid Mamdouh – Board Member**

Mr. Hamid Mamdouh is the Director of the Trade in Services division of the World Trade Organization (WTO), which is part of the Organization responsible for servicing the WTO Council for Trade in Services which oversees the implementation of the General Agreement of Trade in Services (GATS). Prior to this position, he was a senior counsellor in the Services Division, and Secretary of the WTO Council for Trade in Services since the establishment of the WTO in 1995, during which his responsibilities included legal matters relating to the drafting of the General Agreement on Trade in Services (GATS). Other prior posts include Assistant to Deputy Director-General of the GATT and legal advisor on GATT dispute settlement, as well as a member of Diplomatic Service of Egypt. Mr. Mamdouh also lectures in law post-graduate programmes in the University of Zurich, Switzerland, as well as the Law School at the University of Amsterdam.

● **Mr. Danny Huntington – Board Member**

Danny Huntington is an Intellectual Property litigation and patent prosecution partner in the Washington, D.C., office of Bingham McCutchen LLP. Mr. Huntington is involved in all phases of Intellectual Property law, including United States and foreign patent prosecution, litigation in the US federal and state courts, licensing and general client counseling. He has extensive patent interference experience, with particular experience in biotechnology and pharmaceuticals. He lectures frequently on various topics in the US and internationally. He is currently the President of the International Federation of Intellectual Property Attorneys (FICPI), a non-political world-wide organization of intellectual property attorneys in private practice.

● **Mr. Ingo Brückner - Board Member**

Ingo Brückner holds a Mechanical Engineering, Aeronautics and Astronautics Degree from the Technical University Munich, Germany and is a German Patent Attorney and European Patent, Trademark and Design Attorney. Ingo Brückner has been responsible in both prosecution and litigation of technical Intellectual Property Rights in the automotive field in the areas of combustion engines, materials,

manufacturing technology, body, safety and human-machine-interaction. He held presentations in Europe and Asian countries on IP-Topics such as German and U.S. Patent Law, Strategic Intellectual Property Management, IP Licensing, IP Portfolio Management and IP Portfolio Assessment. Memberships: LES Germany (Board Member), VPP, PAK, EPI, VDI.

● **Mr. Mohammad Hegazy- Board Member**

Mr. Mohamed Hegazy, has extensive experience in the intellectual property areas and the legal aspects of information technology issues. He currently works as Manager of the intellectual property Rights (IPR) office in the Egyptian Information Technology Industry Development Agency (ITIDA). He is also board member and reporter for the high consulting committee of IPR in ICT field in Egypt. He is a lecturer in many of academic and research institutions, and worked in drafting the Egyptian IPR & E-Signature laws. He is a founder and board member for the Egyptian Center for Intellectual Property & Information Technology; and the Egyptian Cyberlaw Association. He worked for more than 5 years in the Egyptian Cabinet-Information & Decision Support Center (IDSC). He is an expert in center for foreign trade research and studies - Helwan University.

● **Mr. Tawfiq Tabbaa – Board Member**

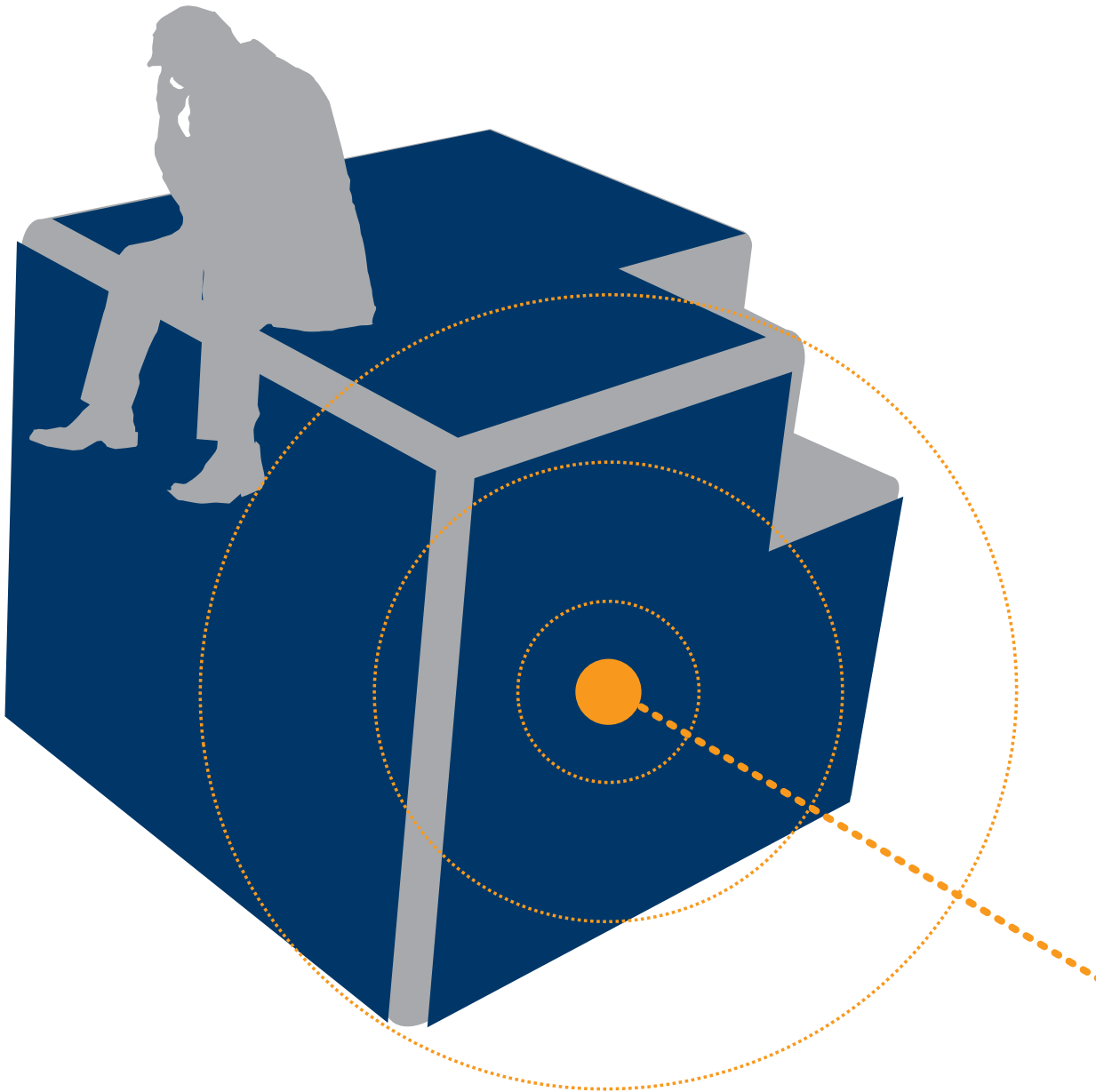
Mr. Tawfiq Tabbaa is an attorney specializing in criminal and civil litigation cases involving trademark counterfeiting and software piracy, an addition to his work, undertaking seizures in the market, customs and IP titles registration before government authorities in Jordan and the Middle East. Mr. Tabbaa previously served with World Intellectual Property Organization (WIPO) as a legal officer in the Bureau for Arab Countries (2001-2002), and as a Senior Officer at the WIPO Coordination Office in New York (2000-2001). He has had extensive experience in the legal and IP fields.

● **Mr. Hisham Kurdi**

Hisham Kurdi is the Managing Director of TAGValuation and is responsible for all administrative activities as well as the department's plan. He works in the Amman, Jordan Corporate Headquarters office. Mr. Kurdi has extensive experience in business administration, finance, marketing, sales, and also worked in the fields of electronics, mechanics, materials and production control in the aviation industry. He earned his MBA and he has also studied subjects in various professional and technical fields; and Aerospace Technology from Northrop University, California.

● **Mr. Mu'tasem Dmour – Secretary of the Board**

Mr. Mu'tasem Dmour (L.L.M.) has served as manager of the Arab Society for Intellectual Property (ASIP) since September 2005. He obtained a B.A. in Law from Jordan University (2001) and an L.L.M. in International Law from Oxford Brookes University (2002). Mr. Dmour served as a Business Legal Regulator at Jordan Modern Group for International Trade and Local Investments, and as an International Registration Registrar with Talal Abu-Ghazaleh & Co. International.





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