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IRAN: IMPLICATIONS OF THE IMMINENT LIFTING OF SANCTIONS ON IP

Now that Iran, the P1+5 (China, France, Russia, United Kingdom, United States-plus Germany), and the European Union have agreed to a landmark comprehensive nuclear agreement, a significant impact on both the economy of Iran and global markets is expected. Not only will the energy sector be particularly affected, but it is also anticipated that the economic impact of a partial lifting of sanctions will perpetuate the energy sector into a wide range of industries, including consumer products, food and beverage, apparel, pharmaceuticals, tobacco, etc. Iran is a strong emerging market with over 80 million consumers, and is ranked second largest economy in the Middle East and North Africa region behind Saudi Arabia. The resulting boom is expected to create billions of dollars' worth of business for both local and foreign companies.

What are the implications of the prospective lifting of sanctions on IP?

Although the US and EU sanctions programs currently in place allow individuals and entities to perform IP-related transactions, with the lifting of sanctions in Iran, many businesses will look to expand their operations into the country with a growing need for establishing tailored local IP protection strategies. Therefore, in the coming weeks and months, brand owners should start reviewing and assessing their existing trademark portfolio in the country in order to ensure that their portfolio management strategies are aligned with the overall business strategy. A trademark audit in Iran should now be a priority for different reasons including: (1) revealing significant gaps in protection so that remedial steps may be taken, (2) identifying applications and registrations that are no longer aligned with the business and determining the appropriate actions to take, and (3) uncovering potential risks, such as infringement, before they materialize. Now is also the best time to monitor the marketplace to identify third party infringements which were difficult to control during the boycott.

For any questions on any of the IP matters in Iran, please feel free to contact us.



TRADEMARKS IN IRAN



CLASSIFICATION

9th edition – multiclass application, class 33 and alcoholic goods in class 32 cannot be registered



OPPOSITION

Within 30 days from publication date; extension of time is not possible



SEARCH

Possible for word marks and devices; discloses similar and identical marks



PROTECTION TERM

10 years from filing date and renewable for like periods



EXAMINATION

Formal, absolute, and relative grounds



USE

Vulnerable to a non-use cancellation action within 3 consecutive years from registration date

PATENTS IN IRAN



EQUIVALENT SEARCH

Granted and published patents may be searched by patent number, title, patentee name and priority/PCT number in the official gazettee



OPPOSITION

Oppositions may be filed any time after publication



EXAMINATION

As to form, novelty, inventiveness and applicability



ANNUITIES

Due annually on the anniversary of the filing date and payable before the granting of patent. 6-month grace period for late payment with a surcharge



PUBLICATION

Applications are not published prior to 18 months from the filing date or the earliest priority



PROTECTION TERM

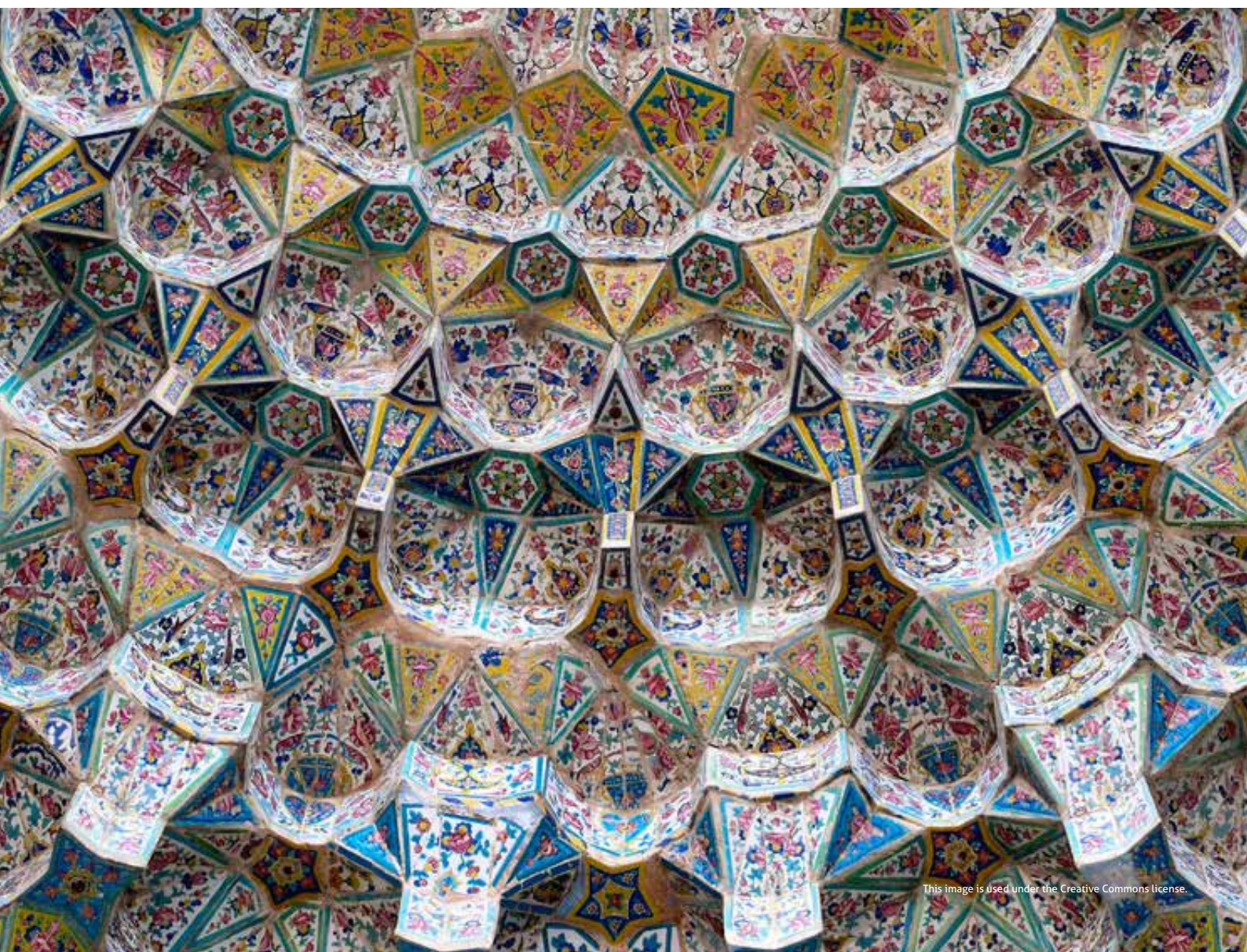
20 years from filing date

IRAN: CYBERSQUATTER SQUASHED

The Administrative Panel, assigned for case number D0778-2015 at the WIPO Arbitration and Mediation Center, issued a decision in favor of Inter IKEA Systems BV, owner of the trademark IKEA, against Omid, Ikealran for registering the domain name <ikea-iran.com>.

The Panel found that the domain name was confusingly similar to the trademark IKEA and that the defendant had no rights or legitimate interests with respect to the domain name, which was registered and used in bad faith.

In light of the above, the Panel ordered that the domain name be transferred to Inter IKEA Systems BV in accordance with paragraphs 4(i) of the Uniform Domain Name Dispute Resolution Policy and 15 of the Rules.



QATAR: EXTENSION OF DEADLINE

The Patent Office in Qatar announced that the deadline for the submission of the required documents and payment of official fees, annuities, and substantive examination fees will be extended to September 30, 2015, for patents filed before December 31, 2014.

As for new patent applications, in addition to the filing fees, the patent office will collect the second annuity fees and, if due, the third annuity fees. The substantive examination fees must be settled within six months from the date of filing.

Annuity fees for applications are payable for each one-year period between the second and twentieth anniversaries of the date of filing of the international application for PCT applications. As for non-PCT applications, the annuity fees are due before the first day of each of the one-year periods they cover. A surcharge will be levied for the late payment of annuity fees per year, provided that the payment is made within a grace period of six months.



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