

We have turned the pages to begin the 2013th chapter.  
To get you started, we have some fresh developments for our first issue of this year.

## Iraq – New Filing Requirements

Effective immediately, a copy of a notarized power of attorney must be submitted at the Trademark Office at the time of filing. A duly legalized power of attorney should then be filed within six months from filing date.

For your information, a simple copy of the priority document must also be submitted at the Patent Office at the time of filing, in support of a patent application.

The certified copy should then be submitted within six months from filing date.

In case the copy is unavailable at the time of filing, an undertaking to submit the document within one week will be accepted as an alternative. If in turn the copy is not filed within one week, the priority claim will be dropped and the application will be considered as a non-convention application.

Should you have any questions, or require any additional information, please do not hesitate to contact us at [iraq@sabaip.com](mailto:iraq@sabaip.com)



## Iran – A Shift to Electronic

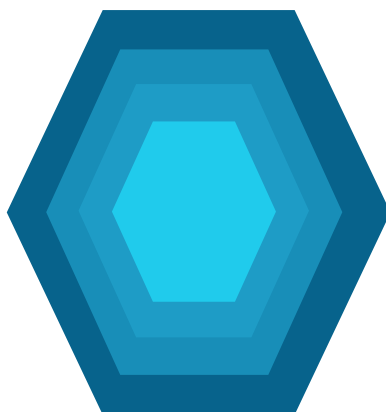
The Iranian Industrial Property Office (IIPO) has recently launched a new system to file trademark, patent and industrial design applications electronically.

This new system allows applicants to fill out an electronic application form, check and review it for accuracy and precision, and then submit it directly over the internet to the Intellectual Property Office.

However, for the time being, the electronic platform is only available in Persian. The English version has not been introduced yet.

All supporting documents should be submitted at the IIPO at a later stage to complete the registration requirements.

Should you have any questions, or require any additional information, please do not hesitate to contact us at [iran@sabaip.com](mailto:iran@sabaip.com)



## In This Issue

**Iraq** New Filing Requirements

**Iran** A Shift to Electronic

**Saudi Arabia** 10th Edition Adopted

A Rise in Official Publication Fees

Counterstrike on Counterfeit Car Parts

### IP CASES:

**Morocco** Infringement and Revocation Action

### IP HIGHLIGHTS :

Amendment of Goods and Services

# Saudi Arabia – 10th Edition Adopted

According to Ministerial Resolution no. 1147, dated October 16, 2012, the Saudi Trademark Office shifted its trademark classification system from the 9th edition to the 10th edition of the Nice International Classification for Goods and Services, which entered into force on January 1, 2012. This decision became effective on November 23, 2012 and applies to both new and pending applications. For pending applications, the Registrar may ask for a class amendment upon examination, or at the time of publication or registration.

Following these changes, the country classification in our region is now as follows:

Country	Nice Edition Adopted
Algeria	10th
Bahrain	10th
Cyprus	10th
Egypt	10th
Gaza	8th
Iraq	7th with local sub-classification
Jordan	10th
Kuwait	8th; Class 33, alcoholic goods in class 32, & pork meat in class 29 cannot be registered
Lebanon	10th
Libya	8th; Class 33, alcoholic goods in class 32, as well as Christmas trees and related products in class 28 cannot be registered
Country	Nice Edition Adopted
Morocco	10th
Oman	10th
Qatar	7th; Class 33, alcoholic goods in class 32 cannot be registered
Saudi Arabia	10th; Class 33 & alcoholic goods in class 32, pork meat in class 29, & Christmas trees and related products in class 28 cannot be registered.
Sudan	8th; Class 33 & alcoholic goods in class 32 cannot be registered.
Syria	10th
Tunisia	10th
United Arab Emirates	9th; Class 33 & alcoholic goods in class 32 cannot be registered.
West Bank	8th
Yemen	8th; with local sub-classification; Class 33 & alcoholic goods in class 32 cannot be registered

## A Rise in Official Publication Fees

The Saudi government has recently increased the official publication fees, while all other fees remain the same. This revision is due to the fact that publication will now take place electronically. All applications will only be published on the Ministry of Commerce website and not in the Official Gazette “Umm Al Qura” anymore. By virtue of the Ministerial Decree no. 1147, dated October 16, 2012, the fees have substantially increased in comparison with their current level. These new rates will be applicable on all filed applications.

Should you have any questions, or require any additional information, please do not hesitate to contact us at [saudi@sabaip.com](mailto:saudi@sabaip.com)



## Counterstrike on Counterfeit Spare Car Parts

A Laboratory for the Inspection and Sample Testing of Electronic Appliances and Spare Car Parts in the Middle East has recently been established in Saudi Arabia. It focuses on monitoring the quality of brake fabrics and oil filters for cars as well as electrical home appliances, computers, audio equipment, lighting and communication devices.

Studies show that counterfeit brake fabrics, which represent more than 50% of counterfeit products in Saudi Arabia, are made of cardboard material and substances as well as sawdust, which degrade quickly and result in more accidents.

Therefore, the Laboratory is expected to frequently collect random car parts from markets all over the country and examine them in order to make sure they are authentic and comply with the country's requirements and regulations. The Laboratory will also be cooperating with the Ministry of Industry and Trade and the Customs Authorities for better enforcement.

The above portrays the Saudi government's continuous efforts in protecting the consumers' rights and ensuring products of good quality.



## IP CASES

# Morocco - Infringement and Revocation Action

The Tribunal of Commerce of Casablanca had rendered a favorable judgment on behalf of Societe des Produits Nestle, owner of the trademark "MAXIBON", against Generale Industrielle des Produits Alimentaires GIPA for registering trademark "MAXIBON".

The Court found that GIPA had committed an act of infringement and ruled in favor of Nestle ordering the defendants to:

1. Cancel their offending mark "MAXIBON" registration numbers 14671 and 14742 on the grounds of non use and infringement, and to record their cancellation in the Registry's official records.
2. Publish the judgment in two local newspapers at their expense.
3. Bear the judicial costs.

The judgment will become final and enforceable in the absence of an appeal, subsequent to the written notification.



## TRADEMARK APPLICATION

# IP HIGHLIGHTS

## Amendment of Goods and Services

The table below addresses the question of whether or not an amendment in the specification of goods and services is possible and at what stage of the registration process can this amendment be considered.

In most countries of our region, an applicant may amend the application to limit, but not broaden the specification of goods and services. In other words, an applicant may not amend a specification of goods or services to add or substitute an item that is not logically included within the scope of the items originally identified.

Country	Is amending the goods/services of a registration possible?	Is amending the goods/services after examination an option?
Algeria	Not Possible	<ul style="list-style-type: none"> <li>Before Examination: Not Possible</li> <li>After Examination: Only to limit the specification</li> </ul>
Bahrain	Possible	<ul style="list-style-type: none"> <li>Before Examination: Possible</li> <li>After Examination: Amendment is possible upon registration.</li> </ul>
Cyprus	Possible	<ul style="list-style-type: none"> <li>Before Examination: Possible</li> <li>After Examination: Possible</li> </ul>
Egypt	Possible. A separate certificate will be issued upon request.	<ul style="list-style-type: none"> <li>Before Examination: Possible</li> <li>After Examination: Not possible</li> </ul>

Country	Is amending the goods/services of a registration possible?	Is amending the goods/services after examination an option?
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**Jordan** ————— Possible. A separate certificate will be issued upon request. —————

- Before Examination: Possible
- After Examination: Amendment is possible before acceptance and reflected upon registration.

**Kuwait** ————— Possible. Amendments are endorsed on current certificate. —————

- Before Examination: Possible
- After Examination: Amendment is possible upon registration.

**Lebanon** ————— Possible. A certificate is issued upon request. ————— N/A

**Morocco** ————— Possible ————— N/A

**Oman** ————— Possible. A separate certificate will be issued upon request. —————

- Before Examination: Possible
- After Examination: Possible

**Qatar** ————— Possible. A separate certificate will be issued upon request. —————

- Before Examination: Possible
- After Examination: Amendment is possible upon registration.

Country	Is amending the goods/services of a registration possible?	Is amending the goods/services after examination an option?
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<b>Saudi Arabia</b>	Possible. Amendments are endorsed on current certificate.	<ul style="list-style-type: none"> <li>Before Examination: Not Possible</li> <li>After Examination: Not Possible</li> </ul>
<b>Yemen</b>	Possible. A separate certificate will be issued upon request.	<ul style="list-style-type: none"> <li>Before Examination: Possible</li> <li>After Examination: Not Possible</li> </ul>
<b>Syria</b>	Possible. A separate certificate will be issued upon request.	<ul style="list-style-type: none"> <li>Before Examination: Possible</li> <li>After Examination: Amendment is possible upon registration.</li> </ul>
<b>UAE</b>	Possible	<ul style="list-style-type: none"> <li>Before Examination: Possible</li> <li>After Examination: Amendment is possible upon registration.</li> </ul>

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The information contained in this newsletter is intended to provide a brief update of intellectual property news and should not be relied upon as legal advice. Legal or other professional counseling should be sought from the firm's Head Office in Beirut, Lebanon.

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