

SABA
INTELLECTUAL
PROPERTY

BULLETIN

MAY 2015 | ISSUE #5

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The background of the entire page is a detailed technical drawing in a light blue color on a dark blue background. It features various mechanical components, including what appears to be a piston and crank mechanism on the left, a complex assembly with multiple bolts and a circular component on the top right, and a large, intricate assembly at the bottom right with numerous numbered callouts (1, 2, 3, 4, 5, 6, 9, 10, 21, 23, 24, 25, 26, 29).

**INTRODUCING
OUR NEW
IDENTITY**



A NEW IDENTITY, THE SAME EXCELLENCE

Dear Readers,

I am pleased to announce Saba Intellectual Property's new corporate identity. As the global IP market evolves and progresses, it is imperative that we remain connected and uphold our regional position as the premier firm in providing IP services. This necessitated a rebranding initiative to update our corporate image in a way that allows us to focus on our services and emphasize our professionalism and commitment to service. The new identity gives Saba Intellectual Property a progressive and modern look that retains our corporate persona that was built over almost nine decades of serving you in our region.

Sincerely,
Ramzi Tarazi

SMART HAS A NEW LOOK

INTRODUCING OUR NEW IDENTITY

FOUAD S. SABA (1902-1984): FOUNDED SABA & CO. IN 1926 AND WAS A PIONEERING FIGURE IN THE DEVELOPMENT OF THE IP INDUSTRY IN THE MIDDLE EAST AND NORTH AFRICA REGION.



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Our May edition of the monthly *Saba IP Bulletin* reviews the most important intellectual property developments and news in the Middle East, North Africa, and their neighboring regions. This feature contains all what you need to know about our region for INTA's 137th Annual Meeting.

UAE: INCREASE IN OFFICIAL FEES

Pursuant to Ministerial Resolution no. 9 of 2015, the official fees for trademark matters have doubled almost across the board in comparison with their current level.

The increase will also affect patent filings and title updates but annuity maintenance fees will not be subject to any change. The new rates will be effective as of May 29, 2015. It is highly recommended for trademark owners to immediately attend to any renewal due over the next 12 months at the existing rates prior to the increase.

UAE: SPEEDING UP THE OPPOSITION PROCESS AS OF MARCH 2015

A plan is in place to clear the backlog of pending opposition cases. The TMO is expected to hold hearings for all pending cases within the coming few months.

Furthermore, the TMO will be issuing decisions for all pending opposition cases immediately after the hearing session. Some cases have been pending since 2010.

MOROCCO: Examination on Absolute Grounds Now Possible

Pursuant to the issuance of Law no. 23 - 13, examination on absolute grounds is now possible in Morocco. Prior to the new law, applications were published after passing only through formal examination, and a certificate was issued in the absence of an opposition. The new law reduces the time period to respond to oppositions from six months to two months. This reduction is expected to develop a faster and more structured procedural process.

KSA and UAE: CLASSIFICATION OF GOODS

There are specific considerations applicants should take into account when working on the specification of goods/services for trademark applications.

KSA: Pursuant to the introduction of the e-filing system beginning of 2014, the TMO will no longer accept specifications for goods and services that do not exactly match with the Nice specification. Applications with an item that is not explicitly on that list will not be properly docketed into the system, which would basically result in considerable delays.

UAE: The TMO is no longer issuing pre-examination decisions as of May 2014, which can mean that if an examiner is not satisfied with a certain specification of goods, the application will be automatically rejected. This was not the case in the past. The TMO was more flexible in the sense that if anything is seen not to be clear with the specification, the applicant is notified and then given a period of time to make the necessary correction. Having said that, applicants should be cautious when specifying the goods/services in a trademark application in UAE, and it goes without saying that claiming class headings would be the safest approach. There is no need to worry about the fact that the exposure risk would be increasing with this wide-ranging claim because the general practice of examiners at the TMO is to look at class-headings as a whole at the time of examination on relative grounds regardless of whether or not there are different trade channels involved.

GCC: Registration of Service Marks

It is usually a common practice in the GCC region (and even mandatory in some countries) to display the service marks in Arabic on the front signs. Therefore, in order to establish valid use of any mark, it is always important to register it exactly as used in the market place. This follows the advisable practice of registering the Arabic transliteration of items in class 5, which is a requirement in some jurisdictions in our region.

MIDDLE EAST: Well-Known Marks

Pursuant to their membership in the Paris Convention, all Arab countries should respect Article 6bis.

UAE, KSA and LEBANON: POA REQUIREMENTS

UAE: While it was possible in the past to file a POA within 60 days from filing date, this grace period was completely removed in May 2014. Submission must be at the time of filing of a new trademark application, even for oppositions. Applicants should carefully account for this especially when faced with an approaching deadline, such as a convention priority deadline.

KSA: On March 2014, the deadline for submitting POAs for trademark applications as well as oppositions became 90 days from notification date received from the TMO. Previously, the POA had to be submitted within 30 days from filing date.

Lebanon: POA submissions after April 10, 2015 must be legalized up to the Lebanese Consulate for all IP matters.

IRAN, LIBYA and YEMEN: IMPACT OF POLITICAL SITUATION

Iran: On April 2, 2015 the talks between Iran, United States, the United Kingdom, Russia, Germany, France, China, and the European Union ended in reaching an agreement on a framework deal for Iran nuclear activities. The deal is partial and preliminary and serves as a precursor to a full, comprehensive and detailed agreement due to be completed by June 30, 2015. While nothing is agreed on yet, this deal represents significant progress towards a lasting solution that lifts off all sanctions and verifiably ensures the peaceful nature of Iran's nuclear program going forward. Having said that, we expect the economy to open up and brand owners to look into Iran to market their products.

Libya: The political situation continues to be turbulent and unstable. Nevertheless, trademark applications can now be filed at the Trademark Office which is currently under the control and management of the Fajr Libya party (the self-declared government in Tripoli). Although it is not certain whether applications filed at this stage will be considered valid should the political situation change and the Government (previously in control of Tripoli) regain control, we suggest at this stage to move forward with filing applications that involve short deadlines such as renewals, trademark applications with priority claims, etc. The purpose is to avoid missing out on any deadlines during these unpredictable times.

Yemen: In order to avoid delays resulting from interruptions in the mail and courier services, applicants are able to file scanned copies of supporting documents while submitting the legalized copies as soon as available. Also, given that some Yemeni Consulates are refraining from legalization at this stage, notarized documents can be filed pending further submission of the legalized documents once possible.



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