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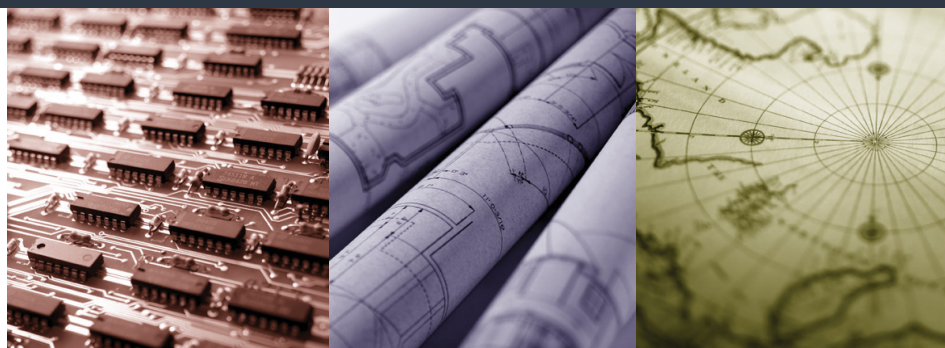
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January 2015

Issue1

**A Review of Intellectual
Property-Related News and
Developments in the Middle
East and North Africa**



KSA: *Preparing for PCT Filings*

The Saudi Patent Office began acting as a Patent Cooperation Treaty Receiving Office as of January 1, 2015.

International applications may be filed at the SPO using WIPO's ePCT system. Upon filing, applicants may choose the Egyptian Patent Office, among others, as the competent International Searching Authority and International Preliminary Examining Authority.

The SPO is also expected to receive PCT national stage entries as of February 3, 2015. There has yet to be an announcement detailing requirements, fees, and the annuity due date. We will monitor the situation closely and provide you with any updates.



Kuwait: *Claiming Priority Now Possible*

The Kuwaiti Trademark Office announced that it will be accepting new trademark applications with priority claims. Required documents will now include a certified copy of the priority document duly legalized up to the Kuwaiti consulate. This document may be submitted within 3 months from filing date. A more detailed account on the trademark filing requirements

can be found on our Kuwait page.

This update comes in light of Kuwait's accession to the Paris Convention earlier this year that entered into force on December 2, 2014. With Kuwait's accession, all the Gulf Cooperation Council member countries have now acceded to the Convention.



Bahrain: *Cybercrime Crackdown*



Bahrain issued Law no. 60 of 2014 in an effort to combat cybercrime and set punishments for offences committed on the Internet.

The law describes the penalties on violations all cybercrimes committed, such as gaining unauthorized access to a computer system or network, eavesdropping over private transmissions, or presenting forged data as true.

This move comes as an addition to the already established GCC cybercrime law, which was issued last year.

Bahrain: *Putting a Lid on Commercial Fraud*

Bahrain issued the Anti-Commercial Fraud Law no. 62 of 2014 in an effort to protect consumers and regulate the market. The law defines commercial fraud as the use and sale of a fraudulent commodity which has been altered or manipulated in order to cause deception.

The law specifies penalties that will result in imprisonment up to the max of a ten year jail term and a fine of up to 10,000 dinars (US

\$26,516) for any commercial fraud that causes permanent disability. The law also stipulates life imprisonment and a fine of up to 20,000 dinars (US \$53,032) if the fraud causes death.

The new law offers a positive enhancement of the existing enforcement framework in Bahrain and is expected to increase the effectiveness of enforcement mechanisms through the use of deterrent penalties.



Jordan: Trademark Protection Not Lost in Translation



Plaintiff's Mark



Defendant's Mark

The Jordanian Trademark Office recently acknowledged the fame status of ALWADI AL-AKHDAR, after a local manufacturer applied for the registration of GREEN VALLEY as a trademark in class 29. Upon publication of the mark in the official gazette, Al Wadi Al Akhdar SAL opposed on the basis that the word mark represents an English translation of their trademark. In order to demonstrate their brand's fame, Al Wadi Al Akhdar SAL provided evidence of use and registration of the trademark in Lebanon, Syria, Saudi Arabia, United Arab Emirates, Qatar, Yemen and Jordan, where the mark was registered as early as 1985 in classes 29, 30 and 32. The company provided further confirmation of extensive sales and marketing for its ALWADI AL-AKHDAR products in the region to establish recognition within the relevant segment of the consumers. The TMO found the evidence presented by Al Wadi Al Akhdar SAL compelling to establish that ALWADI AL-AKHDAR has indeed acquired fame and recognition and therefore qualifies for the special protection provided by article 12/8 of the trademarks. The law prohibits the registration of any trademark that represents an imitation and/or translation and/or transliteration of a famous trademark. The verdict stipulates that products under the trade name GREEN VALLEY may confuse and mislead consumers into thinking that the two trademarks are related or belong to the same commercial source which will undoubtedly cause damage and create a situation of unfair competition, leading to the cancellation of the registration of GREEN VALLEY.

OAPI: Accession to the Madrid Protocol



The African Intellectual Property Organization (OAPI) became the 93rd member to join the Madrid Protocol.

OAPI, short for *Organisation Africaine de la Propriété Intellectuelle*, is composed of 17 member states which include Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, the Republic of Congo, Côte d'Ivoire, Gabon, Guinea, Equatorial Guinea, Mali, Mauritania, Niger, Guinea Bissau, Senegal and Togo. OAPI's headquarters are located in Cameroon.

The Madrid Protocol will enter into force in OAPI countries on March 5, 2015.

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