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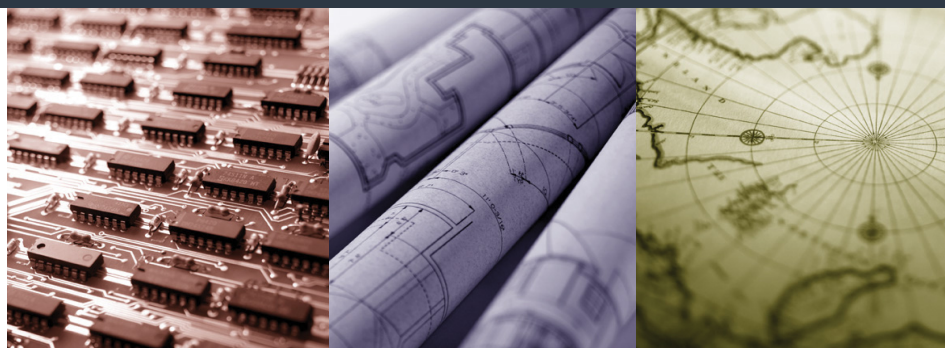


*Creative Commons*

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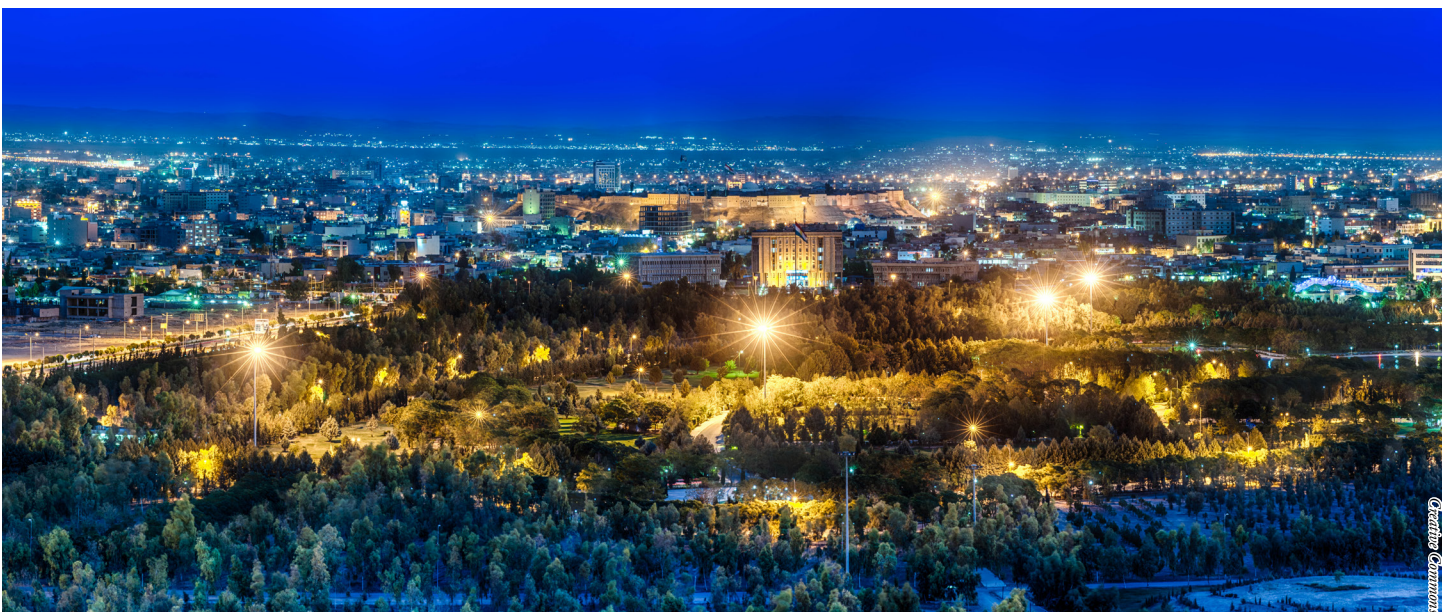
## **Oman:** *Substantive Examination Fees Due*



The Sultanate of Oman declared on November 2, 2014 that the substantive examination fees for patent applications submitted between 2003 and 2007 will be due within two months from the date of announcement. This move follows the recent signing of a memorandum of understanding between the Omani and the Egyptian Patent Offices, where the Egyptian Patent Office acts as the examining office for all pending and new patent applications filed in Oman – as reported initially in the October issue of the Saba IP Bulletin.

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## **Iraq:** *Accession to the Singapore Treaty*



Iraq has recently acceded to the Singapore Treaty on the Law of Trademarks. The treaty will enter into force on November 29, 2014 and will establish common standards for procedural aspects of trademark registration and licensing in the country.

Other signatories in the region include Lebanon and Turkey.

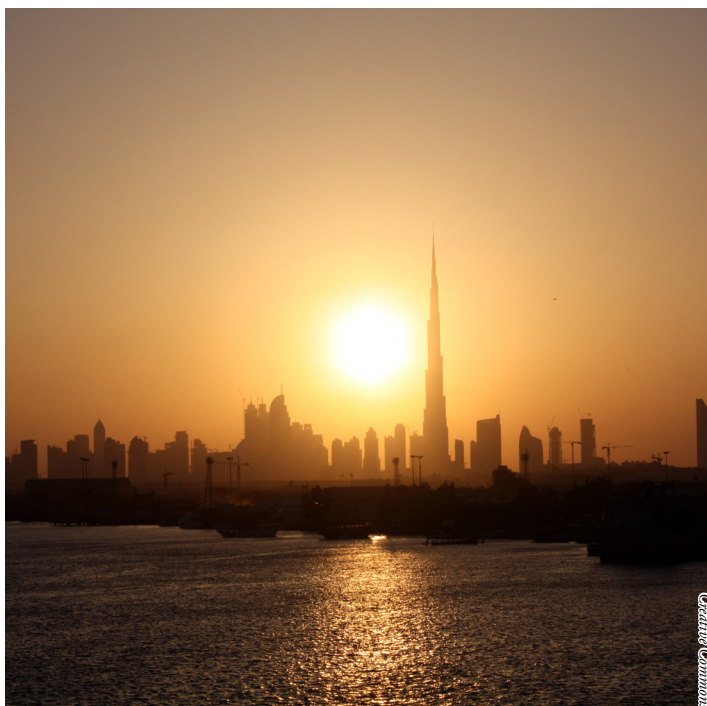


## UAE: Substantive Examination Fees Due



The United Arab Emirates Patent Office declared on October 26, 2014 that the substantive examination fees for patent applications submitted between 2011 and 2013 will be due within 90 days from the date of announcement. Effective November 1, 2014, filing and examination fees will have to be paid for all new patent applications. This comes in light of the country's recent collaboration with South Korea, which has dispatched patent examiners to the UAE Patent Office to assist in the construction of an infrastructure to manage patent applications.

## UAE: Signing of the Beijing Treaty



The United Arab Emirates recently signed the Beijing Treaty on Audiovisual Performances. The treaty regulates copyright for audiovisual performances and expands the performers' rights. Other signatories in the region include Cyprus, Djibouti, Jordan, Morocco, Qatar, Syria, and Tunisia. The treaty is expected to enter into force once it has been ratified by 30 eligible parties.

## UAE: Signing of the Marrakesh Treaty

The United Arab Emirates recently signed the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

As the name suggests, the treaty is concerned with the enablement of copyright exceptions to facilitate the creation of accessible versions of books and other copyrighted works.

Other signatories in the region include Cyprus, Djibouti, Iran, Jordan, Lebanon, Morocco, Sudan, Tunisia, and Turkey.

## Algeria: Protecting Creativity alongside China

Algeria and China recently signed a memorandum of understanding on copyright protection. The memorandum outlines the framework of the comprehensive strategic partnership of cooperation between the Algerian National Office of Copyright and Neighbouring Rights and the National Copyright Administration of China.

## South Sudan: *Untapped, Fertile Grounds*



With the self-proclaimed status of the world's youngest nation, South Sudan claims sovereignty over 644,329 square kilometers of land in East Africa. The country shares borders with Central African Republic, Democratic Republic of the

Congo, Ethiopia, Kenya, Sudan, and Uganda – making South Sudan readily accessible.

Natural resources in South Sudan include ample lands for agriculture, water, gold, as well as other metal ores, diamonds, and oil. Despite

these various resources, oil production accounts for almost 98% of government revenue and South Sudan remains dependent on neighboring Sudan to transport the oil through pipelines to the Red Sea. More recently, however, community lead-

ers in South Sudan aim to decrease the government's dependence on oil production through livestock exports – given the country's vast land space and copious water resources from the White Nile. This move suggests that alternative means to boost the economy are in the works, which affords foreign investment a different form of fecundity.

The GDP in South Sudan is \$14.71 billion, while the GDP per capita is \$1,400. The GDP composition is 34.9 percent for household consumption, 17.1 percent for government consumption, 10.4 percent for investment in fixed capital, and 64.9 percent for exports of goods and services.

Intellectual property is an area of interest for the government of South Sudan. Earlier this year, we reported on the Ministry of Justice admission of trademark applications under the provisions of the trademarks act of 1969 (that is currently in force in Sudan). There are talks that South Sudan will be issuing a trademark law of their own in the near future. In principle, registrations submitted under the act of 1969 will remain valid after the issuance of the new trademark law of South Sudan.



## South Sudan: *Untapped, Fertile Grounds*

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The main features of trademark registration are as follows:

### **Filing Requirements**

1. Notarized POA
2. Certified copy of the Certificate of Incorporation of the applicant company.
3. A letter addressed to the Ministry of Justice requesting reservation and registration of the trademark, signed and sealed by the applicant company

In regards to the last point, it is worth noting that if the applicant is the manufacturer of the products, they should confirm their ownership in the said letter. Whereas, if the applicant is not the manufacturer of the products, then an additional letter of authorization is required from the manufacturers to the applicant as sole agent.

### **Classification**

The International Classification of Goods and Services (9th Edition) is followed – in accordance with the trademark act of 1969.

### **Examination**

Examination is performed on formal, absolute and relative grounds.

### **Opposition**

No provision of opposition



is applicable at the time of publication of this article

### **Extension of Time**

Extension of time is not possible.

### **Protection Term**

Trademark registrations are valid for 10 years from filing date and are renewable for like periods. There is a grace period of 6 months for late renewals with payment of a surcharge.

Documents required for renewal: Power of attorney, notarized.

### **Use Requirements**

Use of a trademark is not required for registration or renewal of a mark. However, a trademark is vulnerable to cancellation by any interested party if there has been no effective use of the mark for a period of 5 consecutive years after registration date.

### **Search**

An official search can be conducted for word marks and devices. A separate application is required for search in each class. The search report discloses similar and identical trademark registrations as well as applications.

### **Assignment**

Documents required:

1. Deed of assignment, legalized by the Sudanese Consulate
2. Legal forms Nos. T. M. 11 and T. M. 12, legalized by the Sudanese Consulate
3. Certified extract from the Commercial Register OR certificate of incorporation of the assignee (with certified Arabic or English translation), legalized by the Sudanese Consulate
4. Power of attorney filed on behalf of the assignor,

notarized

5. Power of attorney on behalf of the assignee, notarized

### **Change of Name/Address**

A change of name/address may be recorded for trademark applications and registrations.

Documents required: Power of attorney, notarized and certificate of change of name, legalized.

### **Licensing**

License recordal is not compulsory but advisable in order to be effective against third parties.

Documents required: Power of attorney from the licensor, notarized; power of attorney from the licensee, notarized; license agreement, legalized; and certificate of incorporation of licensee, legalized.

### **Merger**

A merger may be recorded for trademark applications and registrations.

Documents required: Power of attorney, notarized; certificate of merger, legalized.

### **Marking**

Marking is not compulsory.

### **Three Dimensional Trade-mark Applications**

Inadmissible.

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