

SABA *bulletin*

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INTA's 134th Annual Meeting

The International Trademark Association (INTA) will hold its 134th annual meeting in Washington DC, from May 5 till May 9, 2012. Representatives from Saba & Co. IP Offices will be attending the different functions of the conference and meeting with clients. In case you wish to meet with any of our representatives, please contact us at inta@sabaip.com in order to specify a convenient time and date.

IP News

TUNISIA NEWS

LAUNCHING OF ARABIC DOMAIN NAMES

The council of the Telecommunications National Authority (INT) in Tunisia announced the launch of the Naming Charter of the Arabic domain name "تونيس" according to Decision No. 12/2012 during its meeting held on February 16, 2012. Arabic domain names were officially launched on March 1, 2012. The registration will consist of two phases:

- Sunrise Period:

The Sunrise phase 1: (March 1st to May 31st, 2012) is open only to public institutions and structures. Applications to get such domain names should be directly addressed to the Tunisian Internet Agency (ATI).

The Sunrise phase 2: (June 1st to September 28th, 2012) is open to holders of registered trademarks in the Arabic language in Tunisia.

- Landrush Period:

The Landrush phase (which will

begin on October 1st 2012) is open to any person or entity applying for the registration of domain names of high commercial value according to the terms of the naming charter of the national domain "تونيس". Tunisia will now join the ranks of Egypt, Jordan, Qatar, Saudi Arabia, Palestine and UAE as the only jurisdictions in the Middle East to allow for the registration of Arabic domain names.

Should you have any inquiries or comments regarding the subject matter, please contact us at tunisia@sabaip.com.

BAHRAIN NEWS

ACCESSION TO THE BUDAPEST TREATY SOON

The Kingdom of Bahrain approved the country's accession to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. A new Law (Law No. 4 of 2012) was issued in this regard on February 6, 2012.

This means that the authorities in Bahrain are now required to deposit the instrument of

accession to WIPO. This process may take approximately 4 months. We will keep you updated in due course.

By way of background, the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure now has a total of 75 contracting member states. Contracting member states from our region include: Armenia, Azerbaijan, India, Oman, Jordan, Morocco, Tunisia and Turkey.

IRAQ NEWS

THURSDAYS AT THE IRAQI TRADEMARK OFFICE

The Trademark Registry in Iraq has appointed Thursday of every week for internal work only in order to review and examine the files and applications. In other words, the Trademark Office does not accept any applications or queries on Thursdays. Accordingly, all deadlines falling on a Thursday will be automatically extended to the next working day which would be the Sunday of that week since the official weekend in Iraq is Friday – Saturday.

SAUDI ARABIA NEWS

FIRST COPYRIGHT INFRINGEMENT VERDICT ISSUED

The first verdict on copyright infringement was issued in Saudi Arabia against a store which was breaching the Copyrights Law in the country. The store's owner was sentenced to 10 days in jail after having copied and sold counterfeit DVDs. The imprisonment period may be subject to extension in the event that the infringer continued to violate the applicable law of the country. The store will be closed as well for a 60-day period as part of the sanction. This action aims at protecting the IP rights and combating counterfeit and piracy.

THE CUSTOMS BANNING 138 000 TIRES

The Saudi Customs Authority has recently banned the entrance of 138 000 tires into Saudi Arabia. The tires appeared not to have met the international standards which threaten the safety of the consumers. All products arriving at the customs are subject to examination in order to check their quality and make sure that no counterfeit products enter to the Saudi market, protecting thus the consumers' rights. Should you have any specific inquiries regarding the subject matter, please contact us at saudi@sabaip.com.



YEMEN NEWS

ACTIVE ANTI-COUNTER- FEITING BORDER MEASURES

More than 20 000 fake batteries and around 7200 packs of fake creams were recently confiscated and destroyed in Yemen during two large-scale raids conducted by the Customs Authorities in cooperation with Saba & Co IP – Yemen Office. The confiscation and destruction of the fake products aim at encouraging the protection of IP rights and show the continuous and serious enforcement efforts exerted in order to deter IP crimes and to create the basis for healthy market development. These strict border measures remain a key tool in combating counterfeit and infringement. Should you have any specific inquiries regarding the subject matter, please contact us at yemen@sabaip.com.

UAE NEWS

SEVENTH GULF CONSUMER PROTECTION DAY

Saba & Co. IP – UAE Team have attended the Seventh Gulf Consumer Protection Day organized by the Sharjah Economic Development Department (SED) on March 7, 2012.

The event started with a short video detailing the achievements of the SED during the past year. Mr. Hady Khawand, the country manager of UAE Office along with many others delivered speeches on this occasion. All speeches focused on the importance of consumer awareness and the role of government departments, private entities and consumers in ensuring protection of consumer rights.

In the end, the SED presented awards and certificates to Saba and other government authorities that assist in protecting IP rights.

IP Table

COPYRIGHTS

Local Copyright Laws

Copyright and Related Rights laws, among other norms of positive legal systems such as patent and trademark laws, were introduced during the past three decades in almost all the countries of our region, either by their own codes or by including them in general codes. Basically, such laws explore and discuss the copyright works protected, the author's rights, the definition of the author in certain situations, the protection duration, the transfer of rights, the procedures, penalties and remedies, and the scope of protection.

International Copyright Conventions

All the jurisdictions of our region, except for Gaza, Iran, Iraq and West Bank are members of the Berne Convention for the Protection of Literary and Artistic Works, which contains a series of provisions determining the minimum copyright protection to be granted in the member states as well as special provisions available to developing countries which would make use of them. Clearly, membership in the Berne Convention helps significantly on the litigation front, as evidenced in a number of ground-breaking Court decisions which were reached during the past several years in the Middle East region signaling a positive change for copyright holders. It is also worth noting that most of the countries from our region are members of the WTO, which, of course, extends to the TRIPS agreement. TRIPS, Part II addresses each intellectual property right in succession. With respect to copyright and related rights, parties are required to comply with the substantive provisions of the Berne Convention for the protection of literary and artistic works, in its latest version.

Country	Effective Law	Duration in General	Member of Berne Convention	TRIPS (WTO)
Algeria	Law no. 03 -05 on the protection of Copyright and Related Rights	Author's life plus 50 years starting from the beginning of the calendar year following the author's date of death	Yes	Observer
Bahrain	Law no. 22 of 2006 on the protection of Copyright and Related Rights	Author's life plus 70 years following the author's date of death	Yes	Member
Egypt	Law no. 82 of 2002 on the protection of Intellectual Property Rights	Author's life plus 50 years following the author's date of death	Yes	Member
Gaza	There are no statutory laws on copyright and related rights in force in Gaza.	--	No	--
Iran	Iranian Copyright Law dated January 12, 1970 and Copyright Law for Software which only protects the software created in Iran.	--	No	Observer
Iraq	Copyright Law No. 3 dated January 21, 1971 and its amendment Order No. 83.	--	No	Observer
Jordan	Law no. 22 of 1992 on the protection of Copyright and Related Rights	Author's life plus 50 years following the author's date of death	Yes	Member

<i>Country</i>	<i>Effective Law</i>	<i>Duration in General</i>	<i>Member of Berne Convention</i>	<i>TRIPS (WTO)</i>
Kuwait	Law no. 64 of 1999 on the protection of Copyright and Related Rights	Author's life plus 50 years following the author's date of death	No	Member
Lebanon	Law no. 75 of 1999 on the protection of Copyright and Related Rights	Author's life plus 50 years following the author's date of death	Yes	--
Libya	There are no statutory laws on copyright and related rights in force in Libya.	--	Yes	Observer
Morocco	Law no. 200, amended and completed by Law no. 34 -05 of 2006	Between 50 and 70 years as from date of creation of the artwork, depending on its nature.	Yes	Member
Oman	Law no. 65 of 2008	Author's life plus 70 years starting from the beginning of the calendar year following the author's date of death	Yes	Member
Qatar	Law no. 7 of 2002	Author's life plus 50 years following the author's date of death	Yes	Member
Saudi Arabia	Law no. M/41 of 2003 on the protection of Copyright	Author's life plus 50 years following the author's date of death	Yes	Member
Sudan	Law no. 54 of 1996 on the protection of Copyright and Related Rights	Author's life plus 50 years following the author's date of death	Yes	Observer
Syria	Law no. 12 of 2001 on the protection of Copyright and Related Rights	Author's life plus 50 years following the author's date of death	Yes	--
Tunisia	Law No. 2009 -33 of June 23, 2009 amending and supplementing Law No. 94 -36 of February 24, 1994 on literary and artistic property.	Author's life plus the remainder of the year of his death and 50 years as from January first of the year following that of his death	Yes	Member
Turkey	Law no. 5846 of 1951 on the protection of Copyright and Related Rights	Author's life plus 70 years following the author's date of death	Yes	Member
United Arab Emirates	Law no. 7 of 2002 on the protection of Copyright and Related Rights	Author's life plus 50 years starting from the first day of the calendar year following the author's date of death	Yes	Member
West Bank	There are no statutory laws on copyright and related rights in force in West Bank.	--	No	--
Yemen	Law no. 19 of 1994 on the protection of Intellectual Property Rights	Author's life	No	Observer

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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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