



IN THIS ISSUE

Iran & Syria

Licence to protect your IPR

Jordan

New Drug and Pharmacy Law Ratified

Oman

Protecting New Plant Varieties

Country Insights

INTA 2015

Saba Intellectual Property Participation



IRAN AND SYRIA: LICENCE TO PROTECT YOUR IPR

Current sanctions by the United States do not prohibit the protection and enforcement of intellectual property rights in Iran and Syria. Payments to protect IPR can be made directly, or after the issuance of a General License by the Office of Foreign Assets Control of the U.S. Treasury Department.

General Licenses exclude certain types of payments from sanctioned regimes and there is no need to obtain special written consent from the OFAC to make such payments. All U.S. sanctions programs currently allow U.S. persons and entities to perform the following transactions:

- The filing and prosecution of any application to obtain a patent, trademark, copyright, or other form of intellectual property protection;
- The receipt of a patent, trademark, copyright, or other form of intellectual property protection;
- The renewal or maintenance of a patent, trademark, copyright, or other form of intellectual property protection; and
- The filing and prosecution of any opposition or infringement proceeding with respect to a patent, trademark, copyright, or other form of intellectual property protection, or the entrance of a defense to any such proceeding.

Please do not hesitate to contact us in case you have any questions or require any additional information.

JORDAN: NEW DRUG AND PHARMACY LAW RATIFIED

Jordan recently amended the Drug and Pharmacy Law No. 24 of 2015 that came into effect on May 18, 2015.

The main amendments include sanctions imposed on the counterfeiting of medicine. The new law stipulates the following:

- A punitive sanction of both imprisonment and fine, whereas the old law imposed either imprisonment or a fine, which was based on the court's discretion;
- The fine for counterfeiting is now tenfold the value of the fake products produced, whereas the old law only imposed a fine equaling twofold of the value; and
- The Food and Drug Administration is now authorized to close down any shop, store, gym, or beauty center that sells or trades in counterfeit or banned medicines or supplements.

OMAN: PROTECTING NEW PLANT VARIETIES

Oman recently published the implementing regulations of Royal Decree No. 49 of 2009 promulgating the Law on the Protection of Breeders' Rights in New Varieties of Plants. Applications may now be filed with the General Directorate for Plant and Animal Research at the Ministry of Agriculture and Fisheries.

Filing requirements stipulate that applications must include a title and a full description, along with seeds and any other information or samples that may be requested by the authorities concerned. The protection term is 25 years for trees and grapevines, and 20 years for other plant varieties. Renewal fees will have to be paid annually from the filing date.

The table below lists countries in the MENA where Plant Variety Applications may be filed, and the relevant Law in addition to the annuities and protection term of each applications.

COUNTRIES	ANNUITIES	PROTECTION TERM
Cyprus	The implementing regulations of Law 21(I)/2004 have still not been issued yet.	
Egypt	-	25 years from date of grant for trees and grapevines, and 20 years for other agricultural products
India	-	25 years from date of grant
Iran	-	18 years from date of grant
Jordan	A maintenance fee is due annually and is payable during the first 4 months of each year following the year during which the plant variety is granted	25 years from date of filing for trees and grapevines, and 20 years for other agricultural products
Morocco	A maintenance fee is due annually on the anniversary of the date of grant	20 years from date of grant for species of great culture, and 25 years for species of arboriculture and vine
Saudi Arabia	A maintenance fee is due annually and is payable during the first 3 months of each year following the year the plant variety application was filed, with a further grace period of 3 months (April-June) with payment of a surcharge	25 years from date of filing for trees and grapevines, and 20 years for other agricultural products
Tunisia	New plant variety certificates shall be subject to the payment of an annual fee of which the amount and conditions of payment and utilization shall be laid down by a Decree	The breeders' rights shall subsist for 20 years for ordinary varieties and for 25 years for varieties where development of the production elements necessitates longer timescales. Those periods shall begin to run as from the grant of the new plant variety certificate
Turkey	A maintenance fee is due annually and is payable in January of each year following the date of grant	25 years from date of grant for ornamentals, vegetables, and field crops, and 30 years from date of grant for trees, vines, and potatoes
UAE	The implementing regulations of Law 17/2009 have still not been issued yet	

OMAN: COUNTRY INSIGHTS

With coasts along the Arabian Sea and the Persian Gulf, Oman occupies a regional position of great importance. The Omani peninsula of Musandam sits on a strategic location on the Strait of Hormuz that serves as the gateway of oil flow from Gulf Cooperation Council states to the world.

Article 11 in the Basic Statute of the Sultanate of Oman decrees that the “[Omani] economy is based on justice and the principles of a free economy.” By regional standards of surrounding Middle Eastern states, Oman has a relatively diversified economy. Industries in Oman include crude oil production and refining, natural and liquefied natural gas production, and construction services. The country mainly exports petroleum, metals, textiles, and fish. Key imports to Oman are food products, livestock, heavy machinery and transport equipment, and lubricants at an annual total value of \$34.37 billion. Import partners with Oman include the U.S., Japan, India, and the UAE.

Oman’s annual GDP growth averaged 3.4% over the past year. The country’s GDP is \$80.54 billion, while the GDP per capita is \$44,100. The GDP composition is 1.3 percent for agriculture, 55.2 percent for industry, and 43.5 percent for services.

Oman maintains legislations for the protection of trademarks, patents, designs, copyright, trade secrets, and illegal competition. Below is a brief overview of what you need to know about trademark and patent registration in Oman.

TRADEMARKS IN OMAN



CLASSIFICATION

10th edition – single class application



OPPOSITION

Within 90 days from publication date;
extension of time is possible



SEARCH

Possible for word marks and devices



PROTECTION TERM

10 years from filing date and renewable
for like periods



EXAMINATION

On formal, absolute, and relative grounds



USE

Vulnerable to a non-use cancellation
action within 3 consecutive years from
registration date

PATENTS IN OMAN



EQUIVALENT SEARCH

Patent applications and patents may be searched by title and patentee name



OPPOSITION

Within 120 days from publication; the patent is re-published after grant but no opposition period is provisioned then



EXAMINATION

As to form, novelty, inventiveness, industrial applicability, unity, and compliance



ANNUITIES

Due annually on the anniversary of the international filing date and payable prior to grant. Six-month grace period for late payment with a surcharge



PUBLICATION

Patents are published in the Official Gazette after substantive examination and before grant



PROTECTION TERM

20 years from the international filing date



INTA 2015: SABA INTELLECTUAL PROPERTY PARTICIPATION

Saba Intellectual Property was represented by a team of nine members from our regional offices at the annual meeting of the International Trademark Association in San Diego.

Our team held fruitful meetings with our multinational clients and associates and shared with them our newly launched corporate identity.



THE SABA NETWORK

Head Office

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 45 48 88
Fax: +961 5 45 48 44
E-Mail: info@sabaip.com

Algeria

Cabinet Boukrami
(In cooperation with Saba & Co. IP)
Centre Commercial et d'Affaires El Qods, BU 10-04B
Cheraga 16002
Algiers, Algeria
P.O. Box 86 Centre Commercial et d'Affaires El Qods,
Cheraga 16002
Tel: +213 21 34 11 61
Fax: +213 21 34 11 62
E-Mail: algeria@sabaip.com

Bahrain

Bahrain Tower, Al-Khalifa Road
Manama, Bahrain
P.O. Box 21013
Tel: +973 17 210 301
Fax: +973 17 224 699
E-Mail: bahrain@sabaip.com

Cyprus

Mitsis Building #2
14, Makarios Avenue
1065 Nicosia, Cyprus
P.O. Box 21143
1502 Nicosia
Tel: +357 22 755 434
Fax: +357 22 754 037
E-Mail: cyprus@sabaip.com

Egypt

10 Aisha El Taymouriah Street
Garden City, CP 11451
Cairo, Egypt
P.O. Box 129, Mohamed Farid
Tel: + 20 2 279 59686
Fax: + 20 2 279 52314
E-Mail: info@sabaip-eg.com

Gaza

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: gaza@sabaip.com

Iraq

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: iraq@sabaip.com

Jordan

56 Prince Shaker Bin Zaid Street
Al Shemissani
Amman, Jordan
P.O. Box 840553, Amman 11184
Tel: +962 6 464 2145
Fax: +962 6 464 2159
E-Mail: jordan@sabaip.com

Kuwait

Al Hajri Building
Al-Shuhadaa Street
Kuwait, Kuwait
P.O. Box 1245, 13013 Safat
Tel: +965 2 242 3428
Fax: +965 2 240 2243
E-Mail: kuwait@sabaip.com

Lebanon

Saba House,
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9420
Tel: +961 5 45 48 40
Fax: +961 5 45 48 42
E-Mail: lebanon@sabaip.com

Libya

Saba House,
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: libya@sabaip.com

Morocco

185 Boulevard Zerkoutouni
Residence Zerkoutouni
Casablanca 20330
Casablanca, Morocco
P.O. Box 13 921
Casablanca 20032
Tel: +212 522 251 530
Fax: +212 522 251 603
E-Mail: morocco@sabaip.com

Oman

Muscat International Centre
Beit Al Falaj Street
Muscat, Oman
P.O. Box 2027 Ruwi
Postal Code 112, Sultanate of Oman
Tel: +968 248 111 26
Fax: +968 248 111 28
E-Mail: oman@sabaip.com

Qatar

Gridco Building
C Ring Road
Doha, Qatar
P.O. Box 14035
Tel: +974 44 42 3992
Fax: +974 44 32 4106
E-Mail: qatar@sabaip.com

Saudi Arabia

Al Hadaf Marks Services LLC
(In Cooperation with Saba & Co. IP)
Al-Oula Building, King Fahd Road
Riyadh, Saudi Arabia
P.O. Box 61145
Riyadh 11565
Tel: +966 11 2079596
Fax: +966 11 2079598
E-Mail: saudi@sabaip.com

Sudan

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: sudan@sabaip.com

South Sudan

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: southsudan@sabaip.com

Syria

Adib Khair Building
Fardos Street
Damascus, Syria
P.O. Box 460
Tel: +963 11 223 6628
Fax: +963 11 222 6280
E-Mail: syria@sabaip.com

Tunisia

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: tunisia@sabaip.com

United Arab Emirates

Al Rostamani Building,
Al Ettihad Street, Deira
Dubai, UAE
P.O. Box 42259
Tel: +971 4 2959 650
Fax: +971 4 2959 651
E-Mail: uae@sabaip.com

West Bank

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
P.O. Box 11-9421
Tel: +961 5 454 888
Fax: +961 5 454 844
E-Mail: westbank@sabaip.com

Yemen

Hadda Towers, Building #7
Hadda Street
Sana'a, Yemen
P.O. Box 1493
Tel: +967 1 420 595
Fax: +967 1 420 596
E-Mail: yemen@sabaip.com