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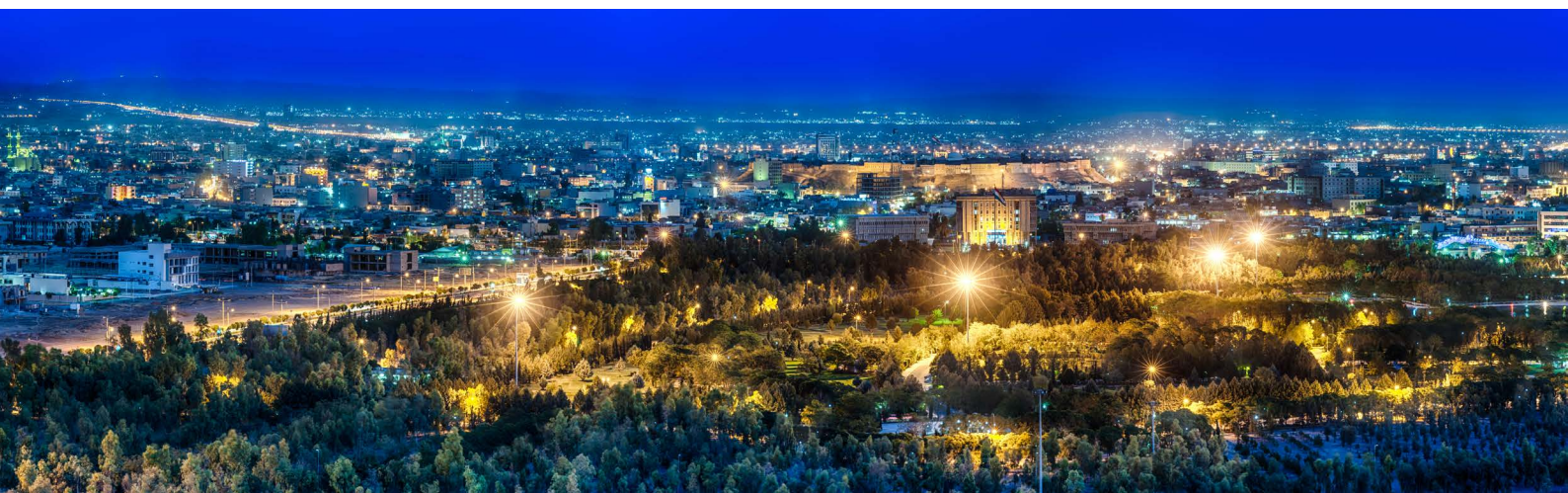
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IRAQ: REVISED FORMALITIES FOR TRADEMARK REGISTRATIONS IN CLASS 5



The Trademark Office in Iraq recently announced that a legalized copy of the home registration certificate must be submitted in support of trademark applications in class 5 at the time of filing. Marks that are identical to the name of the applicant are exempted from this requirement.



It is worth noting that under the previous requirements, applicants were asked to provide the following information when filing a trademark application in class 5: (1) international nonproprietary name; (2) name of manufacturer; (3) name of distributor; and (4) product label. All of this has been dropped.

By way of background, class 5 covers pharmaceutical and veterinary preparations and sanitary preparations for medical purposes. Iraq currently follows the 7th edition of the Nice Classification with a local sub-classification system, and a single class may include several classes. Furthermore, the trademark registration process in Iraq differs significantly from other jurisdictions. This is due to the fact that examination on relative grounds is performed once applications are docketed at the Iraqi Trademark Office, and the filing date and filing number are only issued in the event that the application passes examination.

Syria is the only other country in the Middle East and North Africa region to impose filing requirements that are specific to class 5, requiring certificate of origin and list of ingredients. For the remaining countries in the region, the process remains standard regardless of class.



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In light of this new development in Iraq, the revised statutory requirements for filing a trademark application in class 5, along with the authentication procedures will be as follows:

| Filing Requirements for Class 5 | What you need to know |
|--|---|
| <ul style="list-style-type: none">• POA, legalized• Copy of priority document, if priority is claimed, certified• Copy of home registration certificate, legalized | <ul style="list-style-type: none">• A general POA may be used for subsequent filings• POA and copy of priority document may be submitted within 6 months from filing date• Copy of home registration certificate must be submitted at the time of applying for the mandatory search• The date of notarization of POA must precede the date of filing |

UAE: IMPROVING THE PATENT LANDSCAPE



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The United Arab Emirates recently signed a cooperation agreement with South Korea aimed towards improving the national patent landscape in the UAE. The news follows an announcement from the UAE Patent Office in the beginning of the year, in which it stated that it will begin receiving and processing local and international applications in electronic form.

It is worth noting that these developments come in light of the UAE's continuous collaboration with the Korean Intellectual Property Office, which had dispatched patent examiners to the UAE Patent Office to assist in the development of an infrastructure to manage and prosecute patent applications.

These are but a couple of major highlights in the UAE that are indicative of the country's drive and motivation to develop its own innovation and economic systems. It is clear that the UAE is committed to achieving its goal of creating a knowledge-based economy, which will ultimately promote the creation of a research and development community in the country and the region.

TURKEY: IMPLEMENTING REGULATIONS OF NEW LAW ENTER INTO FORCE

Following the adoption of Law no. 6769 on the Protection of Industrial Property Rights earlier this year, the Implementing Regulations of the Law entered into force on April 24, 2017. By way of background, Law no. 6769, which was introduced on January 10, 2017, repeals and replaces the Decree Laws on Patents and Utility Models, on Trademark and Service Marks, on Industrial Designs and Geographical Indications that were previously adopted in Turkey.

The new Law includes provisions on the protection of patents, integrated circuits, industrial designs, trademarks and trade names, which ensures that Turkey's IP framework is now better suited to the needs of IPR owners, and is more harmonized with global practice. The Law also stipulates the restructuring of the internal organization of the Turkish Patent Institute, which was rebranded as the Turkish Patent and Trademark Office.

The main changes in the Law include the enforceability of co-existence agreements and letters of consent, which will enable the applicants to overcome a relative grounds rejection with the prior right owner's consent. As for oppositions, the Law makes a clear distinction between well-known trademarks registered in Turkey and those

which are not. This means that the owner of an unregistered well-known trademark will, therefore, be able to oppose applications for a mark identical or similar to a well-known trademark, for the same or similar goods and services. Furthermore, the Law introduces a new opposition ground: the defense of non-use. This stipulates that if the owner of the opposed application can claim that the opposing party has not used its trademark for more than five years with a justified reason after its registration date and in case of this defense, the Turkish Patent and Trademark Office will request the opposing party to provide substantial evidence regarding the use of the trademark. If they are not provided, the opposition will be rejected.



MENA: USTR 301 SPECIAL REPORT

The Office of the United States Trade Representative published the 2017 Special 301 Report on April 28, 2017, reviewing global developments on trade and intellectual property. Only five countries—from over 20—in the Middle East and North Africa were included on the watch list, signifying that a majority of jurisdictions have already addressed the need for strong protection of intellectual property rights in order to maintain investment and innovation. This is commendable, given the fact that IP is still relatively young in the MENA.

The MENA countries on the Special 301 list include Algeria, Kuwait, Egypt, Lebanon, and Turkey. The aforementioned countries do in fact maintain strong IP laws and policies that are regularly updated—as is the most recent case in Turkey, with the adoption of Law no. 6769. Such positive improvements and initiatives imply that there is a profound commitment to IP. This will undoubtedly increase and foster the global incentives for research and investment in these countries, and the region as a whole.

The Special 301 Report is prepared annually by the Office of the United States Trade Representative under Section 301 as amended of the Trade Act of 1974. The report categorizes trade barriers for U.S. companies and products due to the IP law in other countries.

Should you have any questions, or require any additional information, please contact us at news@sabaip.com



19 - 22 June, 2017 **San Diego, CA**

NAMIR SIOUFI

M.SC., EMBA
REGIONAL HEAD OF PATENTS - SABA IP

GLOBAL INNOVATION HUBS SPEAKER

WEDNESDAY, JUNE 21
11:00 AM - 11:15 AM



The need for international companies to identify and penetrate new markets yet protect their products is part of any strategy for any growing company. The MENA region is one such market when taken together as a region.

Saba IP will be represented at BIO International Convention 2017 under the MENA region by Namir Sioufi, who will be attending as a speaker.

As a Regional Head of Patents, Namir works alongside a team of professional experts with various specialized backgrounds and provides technical and legal support across all Saba IP branch offices. They both manage several key

patent portfolios from pre-filing recommendations and strategy through prosecution and grant.

His speech will cover the “**Top reasons why you should invest in the Middle-East and North Africa (MENA) and how to protect your investments**”:

1. Rapidly developing pharmaceutical industry
2. Rapidly growing pharmaceutical market
3. Increasing local investment in R&D
4. Increased market need for innovation
5. Availability of low cost qualified and educated human resources.

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: headoffice@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

Djibouti

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: djibouti@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

Ethiopia

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: ethiopia@sabaip.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 Zerkouni
Residence Zerkouni
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)
Office # 1, 2nd Floor, Tower B
GOSI Olaya Towers Olaya Street
Riyadh, Saudi Arabia
P.O. Box 61145
Riyadh 11565
Tel: +966 11 2079596
Fax: +966 11 2079598
E-Mail: saudi@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

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

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