

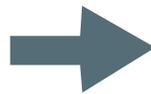
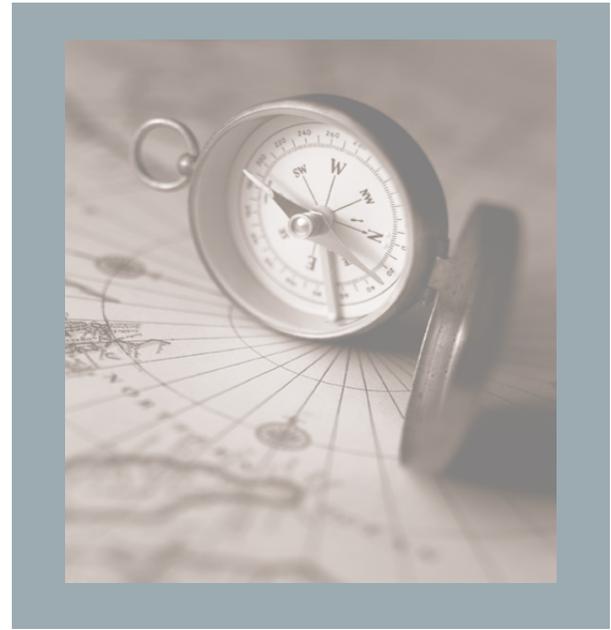
IP NEWS

Bahrain: Accession to Budapest Treaty

The Kingdom of Bahrain deposited the instrument of accession to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure on August 20, 2012.

This treaty will enter into force in Bahrain on November 20, 2012. By way of background, the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure has now a total of 75 contracting member states.

Contracting member states from our region include: Armenia, Azerbaijan, India, Oman, Jordan, Morocco, Tunisia and Turkey.



In This Issue

Bahrain: The Consumer is Protected !

A new Consumer Protection Law (Law No. 35 of 2012) was recently issued in Bahrain. The Law entered into force on August 3, 2012.

The Consumers Protection Law includes provisions on the rights of consumers. Its main objective is to protect the consumers' health and ensure that quality control is efficient in the country. It aims also at combating unfair business practices such as the availability of counterfeit products in the market and it imposes sanctions on those who are in breach of its provisions.

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

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Lebanon: Tenth Edition Adopted

The Lebanese Trademark Office has recently shifted its trademark classification system from the 9th edition to the 10th edition of the Nice International Classification for Goods and Services, which entered into force on January 1, 2012.

The general country classification in our region is as follows:

Country	Nice Edition Adopted
Algeria	10th
Bahrain	10th
Cyprus	10th
Egypt	10th
Gaza	8th
Iraq	7th; with local sub-classification
Jordan	10th
Kuwait	8th; Class 33, alcoholic goods in class 32, & pork meat in class 29 can not be registered
Lebanon	10th
Libya	8th; Class 33, alcoholic goods in class 32, as well as Christmas trees and related products in class 28 can not be registered
Morocco	10th
Oman	10th
Qatar	7th; Class 33 & alcoholic goods in class 32 can not be registered
Saudi Arabia	9th; Class 33, alcoholic goods in class 32, pork meat in class 29, & Christmas trees and related products in class 28 can not be registered
Sudan	8th; Class 33 & alcoholic goods in class 32 can not be registered
Syria	10th
Tunisia	10th
United Arab Emirates	9th; Class 33 & alcoholic goods in class 32 can not be registered
West Bank	8th
Yemen	8th; with local sub-classification; Class 33 & alcoholic goods in class 32 can not be registered



Saudi Arabia: Code of Ethics for Pharmaceuticals

The Saudi Food and Drug Authority (SFDA) launched a new code of ethics for the marketing of pharmaceutical products. This new code aims at making all pharmaceutical practices subject to ethical and moral values. All parties involved are required to abide by this code entirely in order to create an environment of fair competition between pharmaceutical organizations.

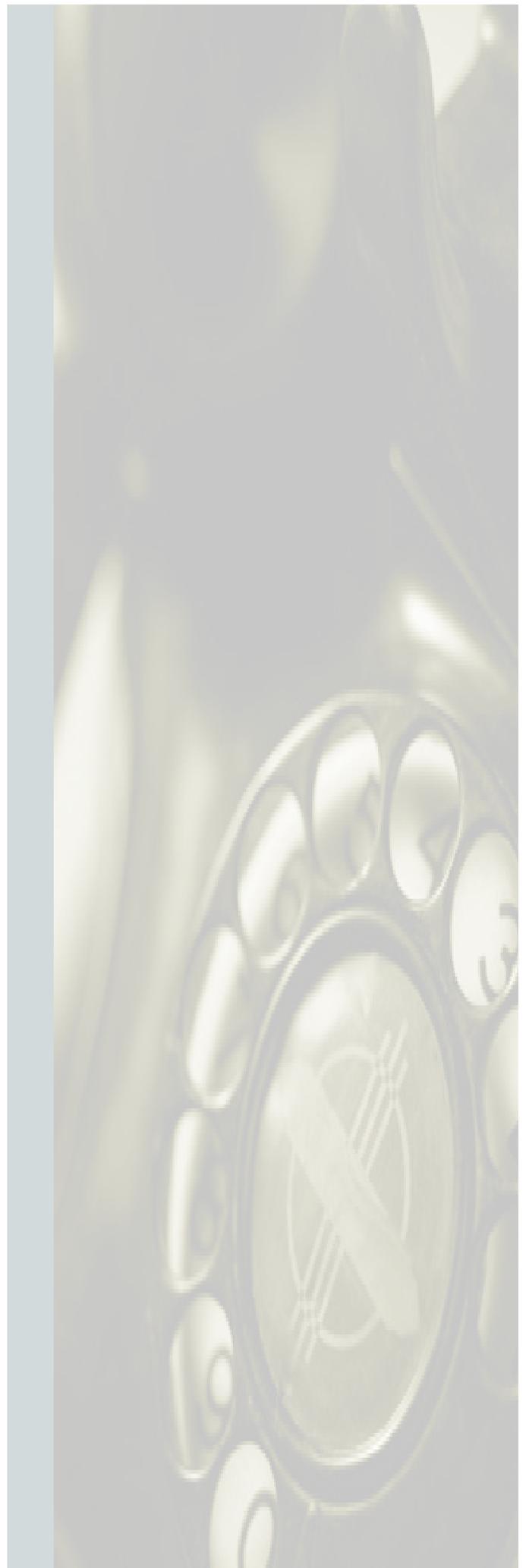
Furthermore, pharmaceutical marketing on ethical basis improves the health sector and encourages all drug companies and manufacturers to provide true and unbiased information according to the standards of the code of ethics.

Saudi Arabia: Consumer Protection Agreement on the Way

The Saudi Customs Authority and the local Consumer Protection Group have signed on a cooperation agreement aiming at combating commercial counterfeiting, protecting intellectual property rights and boosting the national economy. This cooperation agreement hinders the entrance of fake products to the Saudi market. The agreement was centered on the importance of IP protection, as well as the dynamic role of the Saudi Customs in the protection of Saudi Arabia's borders against piracy and counterfeits.

This agreement comes in line with the international standards requirements and practices in order to develop the quality of products available in the market place and to guarantee the health and well-being of all society members.

Should you have any specific inquiries regarding the subject matter, please contact us at saudi@sabaip.com.



IP CASE

Yemen: No to Counterfeit Drugs

The Court of First Instance in Yemen ruled in favor of the German company Bayer AG, owner of trademark "ASPIRIN", against the Yemeni company Royal Pharma, for distributing and selling infringing ASPIRIN products in the Yemeni market.

The Court found that the use of trademark ASPIRIN presents an imitation of a well-known mark, causing damages to the interests of Bayer AG and leading to unfair competition.

In light of the foregoing findings, the Yemeni infringer ceased any further use of the offending mark.



IP HIGHLIGHTS

Trademarks - How to Protect and Use Them in Our Region

The article below provides general information on the trademark protection system in the countries of our region. It gives an overview on the use of trademarks in our part of the world in addition to the legal system that governs the trademark protection.

In principle, most countries of our part of the world are civil law countries, meaning that the code typically exhaustively covers the complete system of law. This also means that trademark protection is on a “first to file” rather than a “first to use” basis, unlike common law countries. Having a first-to-file system means that registration is absolutely necessary for the protection of trademarks. Countries in our region may offer a limited amount of common law rights but this of course is a matter solely determined by the practitioner handling the case.

All of the countries from our region have national laws which facilitate the filing, registration and enforcement of trademark rights. In general, filing trademark applications entails similar procedures.

It is possible to register a mark without actually using it. Therefore, it is not necessary to provide detailed information on trademark applications regarding the existing use of the mark. However, trademark rights should be maintained through actual use of the trademark. Trademark registrations in most countries of our region may be vulnerable to cancellation in the event of non-use, which is usually a period of either three or five years. Therefore, it is important to implement programs that ensure valid use of the marks in order to avoid cancellation.

It is also worth noting that, unlike the US where a cancellation action is similar to an opposition action in applicable law, the situation is not the same in our part of the world. More specifically, administrative procedures for a non-use cancellation of a trademark are only available in few countries, namely Jordan, Bahrain and Oman. In the remaining countries, cancellation actions must be brought before the local Courts.

SABA - Participation in the AIPPI

Saba representatives will be attending the AIPPI Congress, in Seoul Korea, from October 20 till October 23 2012.

In case you will be attending the AIPPI Congress, we would like to take the opportunity to meet with you to discuss the latest developments in the Middle East and North Africa region and to answer any questions you might have.

If you wish to meet with any of our colleagues, or require any additional information, please feel free to email us at Saba IP - Head Office headoffice@sabaip.com or contact us T +961 5 454 888, specifying a convenient time and date.



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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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