

SABA
INTELLECTUAL
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MOROCCO | INCREASE IN OFFICIAL FEES

MOROCCO

Morocco recently announced an increase in the official fees for all intellectual property matters, including trademarks, patents, and industrial designs. The increase also applies to examination and the annuity maintenance fees for patents and utility models. The new rates entered into force on October 1, 2017.

By way of background, Morocco has a relatively comprehensive regulatory and legislative system for the protection of intellectual property. Morocco issued Law no. 23-13 in December 2014, which amended and completed Law no. 17-97 of 2000. The new law entered into force on the date of announcement and publication in the official gazette. The law includes provisions on the protection of patents, integrated circuits, industrial designs, trademarks, and trade names.

Furthermore, in 2015, the authorities concerned voted into law the agreement between the Moroccan Patent Office and the European Patent Office. This decision effectively simplified the patenting system in Morocco. All European applications filed on or after March 1, 2015, can designate Morocco at the time of requesting examination. Upon grant of the European patent, the same can be validated in Morocco. Since Morocco is not a European Patent Convention state, the local patent law governs matters relating to infringement, validity, supplementary protection certificates and such.

We expect further developments in Morocco, as it remains a country with high aspirations that welcomes foreign investments. A healthy balance between the latter and local development is bound to be beneficial for the country's own growth.



MOROCCO . QATAR . KUWAIT . EGYPT . SAUDI ARABIA

QATAR | UPDATED TRADEMARK RENEWAL FORMALITIES



QATAR

As per Circular no. 6 of 2016, it is possible to pay the trademark renewal fees without a surcharge until the last day of the protection period. In the past, the last day to pay the renewal fees without a surcharge was the first day of the renewal period.

Late payment of renewal fees is provided for during a six-month grace period subject to payment of a surcharge. Renewal fees can be paid 12 months before the renewal due date without shortening the protection period.

KUWAIT | ORIGINAL CERTIFICATES NO LONGER REQUIRED

KUWAIT

Pursuant to new procedures adopted at the Trademark Office in Kuwait, the TMO will be issuing separate certificates for renewal and recordal matters, which include changes of name or address, assignments, and mergers. Previously, the TMO requested the filing of the original trademark registration certificate for the endorsement of any recordal.

This update comes in light of a number of substantial procedural changes that entered into force in Kuwait after approving the Implementing Regulations of the Gulf Cooperation Council Trademark Law. These changes are:

- The opposition period was modified and is no longer 30 days from the third publication in the Official Gazette. The opposition period is now 60 days from publication date, bringing the procedure more in line with international standards.
- A legalized Certificate of Incorporation or an Extract from the Commercial Register must be submitted in support of a trademark application. A certificate of home or foreign registration/application is no longer a requirement. The Certificate of Incorporation or an Extract from the Commercial Register may be used for subsequent filings.
- Notices for renewal, as well as notices for the recordal of assignment, change of name, and change of address will be published in the Official Gazette; this was not the case in the past.
- Counterstatements in response to an opposition can be submitted within 60 days from receipt of notification, instead of 30 days. Also, the deadline to appeal the Registrar's decision in an opposition has been extended. It is now 30 days from receipt of notification instead of 10 days.



MOROCCO . QATAR . KUWAIT . EGYPT . SAUDI ARABIA

EGYPT | E-FILING OF INTERNATIONAL PATENT APPLICATIONS



EGYPT

As more and more patent offices in the Middle East and North Africa region establish themselves as receiving offices for national applicants, the services they provide improve over time. Not surprisingly, the Egyptian Patent Office, which is the only regional International Search Authority and International Preliminary Examination Authority, is now offering the possibility for Egyptian nationals to file international applications electronically. Applicants can file in Arabic or English and designate any one of the following competent examining authorities: the United States, Austria, Egypt, and the European Patent Office.

We expect this update to simplify and streamline the filing process for locals. Over time, statistics will show the number of applications filed by Egyptian innovators receiving the PCT/EGYYYY/XXXXXX serial number.

SAUDI ARABIA | FORMATION OF IP COMMISSION



Given Saudi Arabia's unrelenting commitment to the protection of intellectual property, the Saudi Council of Ministers approved the formation of the Saudi Intellectual Property Commission and published its Implementing Regulations. The Commission will be led by the Ministry of Commerce and Investment and its duties will include handling all IP matters in the country.

Pursuant to the Implementing Regulations, the Saudi Intellectual Property Commission is a self-funded agency with consolidated enforcement power and streamlined procedures. Given this definition, the Commission's responsibilities include, but are not limited to, (1) granting patents, (2) registering trademarks, (3) advising on IP policy, protection, and enforcement, (4) promoting the stronger and more effective IP protection, and (5) providing training, education, and capacity building programs designed to foster respect for IP.

This news follows other recent updates that took place in Saudi Arabia, the most noteworthy of these include: (1) the change of the opposition procedure from a purely legal process to an administrative proceeding, and (2) the shift to online filing of applications for trademark renewals, with the possibility for the e-filing of trademark records in the near future.

We expect further developments in Saudi Arabia that will attract more investment, and boost private sector participation in the economy.

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