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INTA 2018

140th ANNUAL MEETING

MAY 19-23
SEATTLE, WASHINGTON

Meet us at

THE WESTIN HOTEL
SOUTH TOWER . FLOOR 39
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OMAN | ADOPTING THE ELEVENTH EDITION OF THE NICE CLASSIFICATION



The 11th edition of the Nice Classification entered into force in February 2018 in Oman, thus replacing the outgoing 10th edition.

The adoption of the 11th edition will not affect trademarks already filed and registered in Oman. Upon next renewal, goods and services affected by this change will be reclassified accordingly by the Trademark Office.

By way of background, the amendments in the 11th edition cover 15 class headings and explanatory notes for seven classes. Furthermore, the list of goods and services was extended by 334 terms. Major revisions in the 11th edition include:

- Class headings affected by current revisions are those numbered 3, 6, 10, 14, 16, 17, 18, 20, 21, 22, 24, 26, 28, 31 and 45
- All serving utensils are grouped under class 21 instead of class 8
- The addition of unlocking of mobile phones under class 42
- The addition of dog walking, kimono dressing assistance, and conducting religious ceremonies under class 45
- The addition of eyelash brushes and foam toe separators for use in pedicures under class 21
- The addition of herbal extracts for cosmetic purposes under class 3
- The addition of herbal extracts and physiotherapy preparations for medical purposes under class 5
- The addition of body composition monitors under class 10
- The addition of several new goods under classes 29 and 30, including guacamole, onion rings, falafel, bibimbap, dulce de leche, almond, peanut and coconut milks, as well as nut- and chocolate-based spreads. Escamoles (prepared edible ant Larvae) and edible insects have also been added under classes 29 and 31

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OMAN | ADOPTING THE ELEVENTH EDITION OF THE NICE CLASSIFICATION



The table below offers a general overview on the Nice Classification in the Middle East and North Africa.

COUNTRY	NICE EDITION ADOPTED	MEMBER OF THE NICE AGREEMENT?	IS IT POSSIBLE TO CLAIM CLASS HEADINGS?
AFGHANISTAN	8 th	No	Yes
ALGERIA	11 th	Yes (entry into force: July 5, 1972)	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
BAHRAIN	10 th	Yes (entry into force: December 15, 2005)	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
CYPRUS	11 th	No	No
DJIBOUTI	10 th	No	Yes
EGYPT	10 th	Yes (entry into force: June 18, 2005)	Yes
ETHIOPIA	8 th	No	Yes
GAZA	8 th ; Class 33 & alcoholic goods in class 32 cannot be registered	No	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
INDIA	9 th	No	Yes
IRAN	10 th ; Class 33 & alcoholic goods in class 32 cannot be registered	No	Yes
IRAQ	7 th with local sub-classification	No	Yes (an applicant can only claim sub-class headings)
JORDAN	11 th	Yes (entry into force: November 14, 2008)	No
KUWAIT	8 th ; Class 33, alcoholic goods in class 32, & pork meat in class 29 cannot be registered	No	Yes
LEBANON	11 th	Yes (entry into force: April 18, 1961)	Yes
LIBYA	8 th ; Class 33, alcoholic goods in class 32, as well as Christmas trees and related products in class 28 cannot be registered	No	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
MOROCCO	10 th	Yes (entry into force: October 1, 1966)	Yes
OMAN	10 th	No	No
PAKISTAN	8 th	No	Yes

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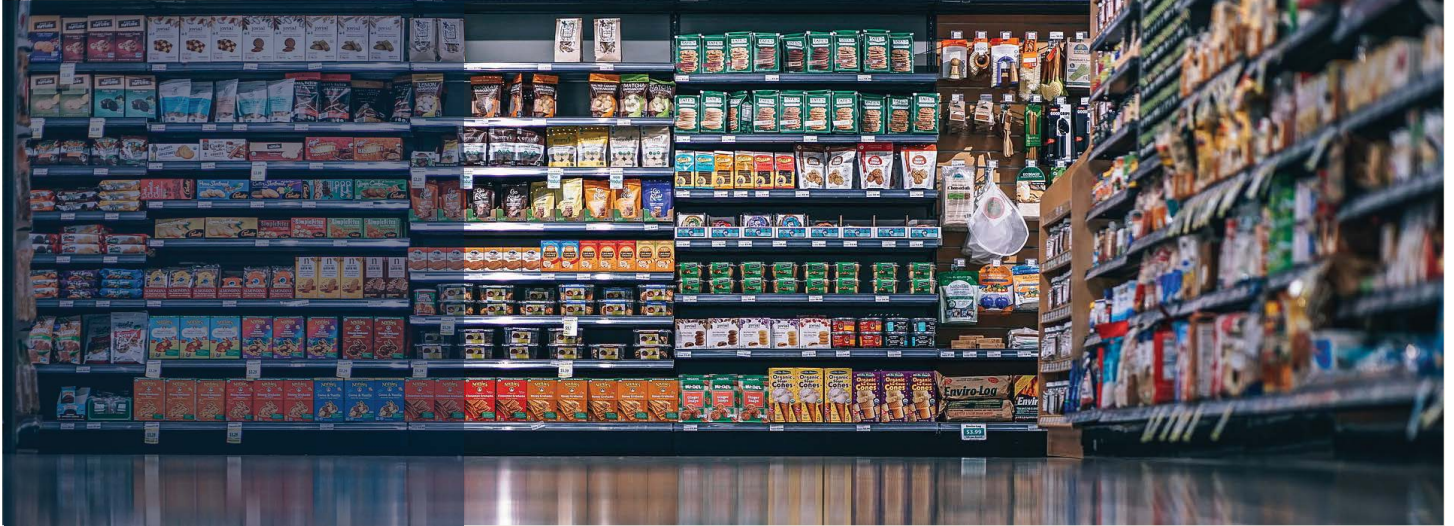
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COUNTRY	NICE EDITION ADOPTED	MEMBER OF THE NICE AGREEMENT?	IS IT POSSIBLE TO CLAIM CLASS HEADINGS?
QATAR	11 th ; Class 33 & alcoholic goods in class 32 cannot be registered	No	Yes
SAUDI ARABIA	10 th ; Class 33, alcoholic goods in class 32, pork meat in class 29, & Christmas trees and related products in class 28 cannot be registered	No	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
SUDAN	9 th ; Class 33 & alcoholic goods in class 32 cannot be registered	No	No
SYRIA	10 th	Yes (entry into force: March 28, 2005)	Yes
TUNISIA	11 th	Yes (entry into force: May 29, 1967)	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
TURKEY	9 th	Yes (entry into force: January 1, 1996)	Yes
UNITED ARAB EMIRATES	10 th ; Class 33 & alcoholic goods in class 32 cannot be registered	No	Yes
WEST BANK	10 th	No	Yes, provided that the headings are specified. Using the phrase "all goods/services in the class" is not acceptable.
YEMEN	8 th ; Class 33 & alcoholic goods in class 32 cannot be registered	No	Yes

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LEBANON | NEW REGULATIONS FOR IMPORTED FOOD PRODUCTS



LEBANON

New regulations set by the authorities concerned at the Ministries of Agriculture and Economy and Trade have made it mandatory to indicate, among other information, the importer's name and address on imported food packages.

The required information must be written in either Arabic, English, or French, as per the requirements listed in Common Decision no. 1/1 of 2018. Needless to say, this comes as a step to ensure that the imported goods are not counterfeits.

Importers in Lebanon have until May 1, 2018 to comply with this new regulation.

TUNISIA | INCREASE IN VALUE ADDED TAX RATE

TUNISIA

Starting January 2, 2018, the value added tax increased in Tunisia from 18 percent to 19 percent.

The increase in the VAT rate in Tunisia follows a similar increase in Lebanon, where the VAT stands at 11 percent up from a level of 10 percent.

The VAT has also been recently introduced in Saudi Arabia and the United Arab Emirates.



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OAPI | UPCOMING FORMATION OF TRADEMARK OFFICE AND PATENT OFFICE



OAPI

The African Intellectual Property Organization, better known by its French acronym OAPI, will be setting up two separate directorates in the near future - a Trademark Office and a Patent Office. For the time being, one IP directorate still serves as the registry for both trademark and patent matters. This update comes in light of a resolution adopted at an OAPI board meeting during December 2017.

By way of background, OAPI is comprised of Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Ivory Coast, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal, Togo, and Comoros.

This development is indicative of OAPI's drive and motivation to develop the member states' own innovation and economic systems.

TANZANIA | COUNTRY INSIGHTS

TANZANIA

With interminable shores along the Indian Ocean and a total area of 947,303 square kilometers, Tanzania is the largest country in East Africa occupying an unrivaled regional role that is increasing in significance. Due to its vast natural resources, Tanzania has achieved high growth rates and is experiencing stable economic development.

Tanzania encourages foreign investment, given that the financial sector has expanded in recent years and foreign-owned banks account for about 48 percent of the banking industry's total assets. Competition among foreign commercial banks has resulted in significant improvements in the efficiency and quality of financial services, and recent banking reforms have helped increase private-sector growth and investment. The annual GDP growth averaged seven percent due to good performance in the services sector. The GDP is US\$150.3 billion, while the GDP per capita is US\$3,100. The GDP composition is 24.5 percent for agriculture, 27.6 percent for industry, and 47.3 percent for services.

Tanzania maintains legislations for the protection of trademarks, patents, designs, and copyright. In addition to being a signatory to the TRIPS Agreement, Tanzania observes the WIPO Convention, and the Paris Convention. Furthermore, Tanzania is also a party to the Agreement on the Creation of the African Regional Industrial Property Organization (ARIPO) and the Harare Protocol.

Two trademark offices operate in Tanzania, one is located in the mainland and the other is in Zanzibar. However, registration in the mainland does not extend to Zanzibar. In mainland Tanzania, matters pertaining to trademarks are governed by the Trade and Service Marks Act of 1986.



TANZANIA | COUNTRY INSIGHTS



TANZANIA

As for Zanzibar, trademark matters are governed by the local Industrial Property Act of 2008 and the local Industrial Property Regulations of 2014 that provide parallel frameworks with the mainland through which trademarks are applied and upon meeting the statutory requirements registration is granted by the authorities concerned in Zanzibar.

Trademarks are registered in mainland Tanzania and Zanzibar in accordance with the 10th edition of the Nice Classification, and a single application cannot include several classes. Provisions apply for the registration of collective marks and certification marks, and examination on relative grounds is not performed.

Protection of a trademark in the mainland is for a period of seven years from filing date and is renewable for an indefinite period of 10 years. As for Zanzibar, the first registration period is 10 years, which can be renewed indefinitely for a duration of seven years. However, it is worth mentioning that the duration of registration for a trade or service mark registered under the ARIPO system designating mainland Tanzania is 10 years and is renewable for an indefinite period of 10 years.

On the patents front, Tanzania acceded to the Patent Cooperation Treaty in 1999. It is worth noting that Zanzibar does not have the capacity to enter into international agreements on its own, and international agreements - including the PCT - are specified as union matters under the constitution. Accordingly, Zanzibar is bound by the PCT.

Foreign patent applications in mainland Tanzania and Zanzibar may be filed claiming 12 month Convention priority or entered as national stage via PCT within 30 months from the earliest claimed priority. Furthermore, it is also possible for a patent to be obtained by an ARIPO-PCT application. In line with expected PCT Rules, patents are protected for a period of 20 years from the international filing date. Annuities in mainland Tanzania and Zanzibar are due annually on the anniversary of the international filing date and payable as of nationalization of the application.

Tanzania 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. The proper application and enforcement of IP laws should help Tanzania become more of an innovative hub in East Africa and lead to this required healthy financial balance.

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