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QATAR | IMPLEMENTING REGULATIONS OF THE PATENT LAW ENTER INTO FORCE

QATAR

Recently, and after much deliberation, the Patent Office in Qatar issued the Implementing Regulations of the Patent Law. The Implementing Regulations entered into force on July 5, 2018. The long-awaited Implementing Regulations are expected to pave the way to a clearer patent procurement process.

The Implementing Regulations confirm the present procedures in Qatar. As such, the filing requirements are a legalized power of attorney and a copy of the international publication, with the international search report - if it is published. The protection term is 20 years from the international filing date, and annuities must be paid on the anniversary of the international filing date and payable prior to grant. A grace period of six months for late payment is observed.



QATAR | PATENT GRIEVANCES AND COMPULSORY LICENSING COMMITTEE ESTABLISHED



QATAR

Now that the Patent Office in Qatar has been actively examining patent applications and has even issued decisions on several applications, there is a need for applicants and interested parties to have a clear mechanism for appealing or opposing such decisions. As part of the country's efforts in advancing its IP procurement, Qatar issued Ministerial Decision No. 154 of 2018 establishing the Grievances and Compulsory Licensing Committee. The Decision was published in Official Gazette on July 4, 2018 and entered into force on July 5, 2018.

The Committee is to be headed by the Director of the Patent Office and its members will be composed of representatives from the Ministry of Economy and Commerce, Qatar Foundation for Education, Science and Community Development, and Qatar Chamber of Commerce. The Committee's main functions will include handling enforcement and litigations concerning registration of patents and compulsory licenses.

OMAN | PATENT SEARCH NOW POSSIBLE

OMAN

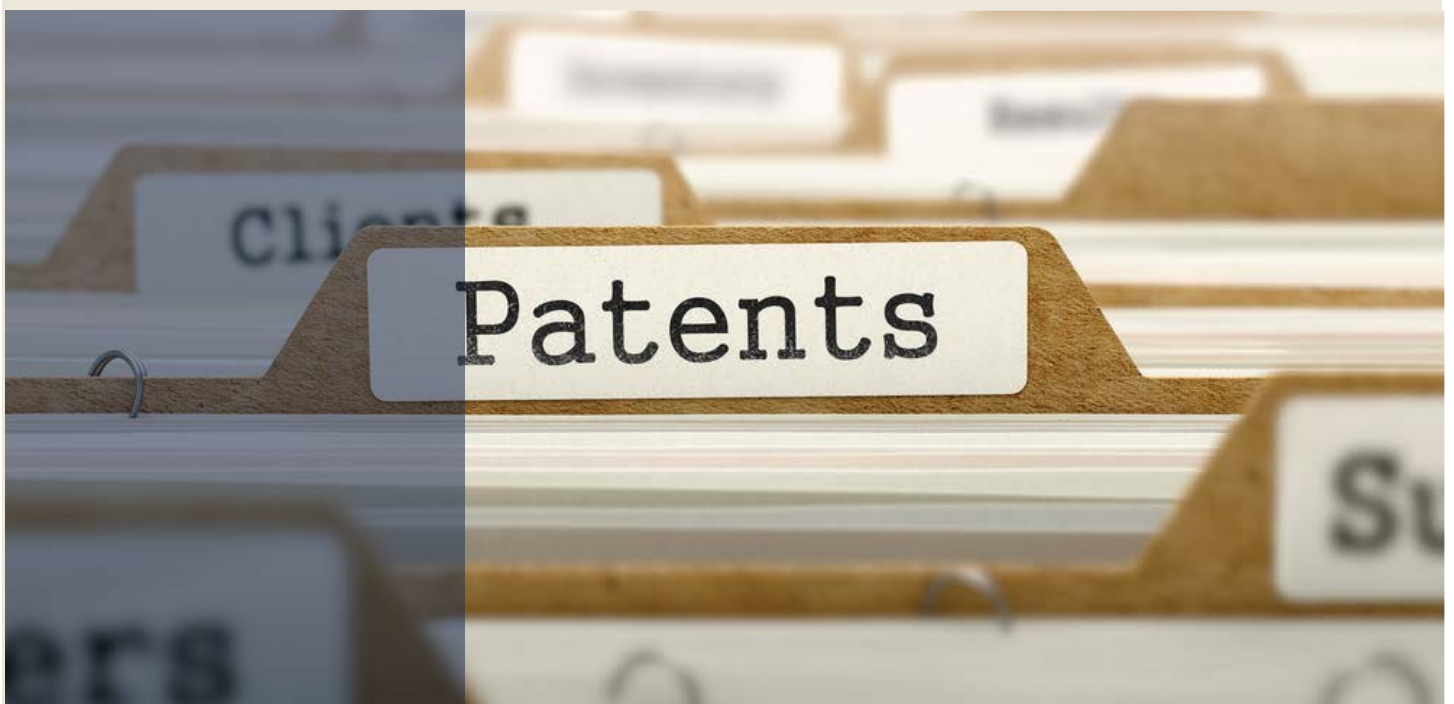
The Patent Office in Oman announced that official equivalent patent searches are now possible. Accordingly, it is possible to search the patent database for patent applications filed or entered in Oman using the typical bibliographic data of the priority applications or PCT publications.

In case the searches relate to pharmaceutical patents, the following criteria may additionally be used:

- Generic name
- Chemical name/formula
- Main group/class/category
- Originator

This new capability is a welcome service to enhance freedom-to-operate search and analysis type projects in Oman, as well as allow generic pharmaceuticals from gauging the risk of commercializing their products in that market.

Since Oman is party to the regional GCC Patent System, it is still advisable to continue performing these type of searches concurrently with the GCC Patent Office in addition to this recent ability to expand the search to include possible national patent filings.



TUNISIA | COUNTRY INSIGHTS



TUNISIA

With coasts along the Mediterranean basin and a close proximity to Europe, Tunisia occupies a regional position of great importance in North Africa. Tunisia is an export-oriented country that is actively liberalizing and privatizing its economy. The country has a diverse economy, ranging from agriculture, mining, manufacturing, and petroleum products, to tourism. Key exports include textiles and apparel, food products, petroleum products, chemicals, and phosphates, with about 80 percent of exports bound for Tunisia's main economic partner, the European Union.

Tunisia's strategy, coupled with investments in education and infrastructure, fueled decades of 4-5 percent annual GDP growth and improved living standards for the local population. Tunisia's economy is structurally designed to favor vested interests. The annual GDP growth averaged 1.9 percent over the past year and the GDP is \$135.4 billion, while the GDP per capita is \$11,800. Furthermore, the GDP composition by sector of origin is 9.9 percent for agriculture, 25.6 percent for industry, and 64 percent for services.

Tunisia maintains a relatively comprehensive regulatory and legislative system for the protection of trademarks, patents, designs, copyright, and trade secrets. In addition, Tunisia is a party to the Berne Convention, Madrid Agreement (Source), Nairobi Treaty, Paris Convention, Budapest Treaty, Hague Agreement, Lisbon Agreement, Madrid Protocol, Patent Cooperation Treaty, Nice Agreement, Vienna Agreement, and The International Union for the Protection of New Varieties of Plants.

On the trademarks front, Tunisia follows 11th edition of the Nice classification and multiclass applications are acceptable. Trademark examination is performed on formal and absolute grounds, and oppositions may be filed after 60 days from publication date.

The protection term for a trademark is 10 years from filing date and is renewable for like periods. As for use, trademarks are vulnerable to a cancellation action by any interested party if there has been no effective use of the mark for a period of five consecutive years preceding date of filing for cancellation.

TUNISIA | COUNTRY INSIGHTS

TUNISIA

As for patents, the European Patent Office and the Tunisian Patent Office (INNORPI) signed an agreement, which stipulates that European patent applications with a filing date of December 1, 2017 or later can designate TN and European patent grants can be validated in Tunisia. Although Tunisia is not a European Patent Convention member state, the Law provides the country a pseudo-EPC status with regards to patent procurement, and is expected to encourage more filings and more foreign investment.

It is possible to file patent applications in Tunisia via PCT national stage entry or claiming Paris Convention. In line with expected PCT Rules, patents are protected for a period of 20 years, from the international filing date. Annuities are due annually on the anniversary of the international filing date and payable as of nationalization of the application in Tunisia. A one year grace period is observed for late payment along with a surcharge.

Tunisia, as aforementioned, 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 Tunisia become more of an innovative hub in North Africa and lead to this required healthy financial balance.



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