

BULLETIN

November 2018

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KUWAIT | TRADEMARK RENEWAL GOING ONLINE

KUWAIT

Applications for trademark renewal can be submitted electronically at the Trademark Office in Kuwait as of September 2018.

The new process involves uploading the supporting documents to the online portal. Online publication in the official gazette is expected at a later stage.

What you need to know about renewal of trademarks in Kuwait:

- **Protection Period:** 10 years from filing date and renewable for like periods
- **Filing Requirements:** Scanned copy of the legalized POA and a simple copy of the certificate of registration
- **What you need to know:** Grace period of 6 months



BAHRAIN | NEW VALUE ADDED TAX

BAHRAIN

Following the recent introduction of value added tax in Saudi Arabia and the United Arab Emirates, VAT is expected to be introduced in Bahrain as of January 1, 2019. The VAT will apply to goods and services at the standard rate of five percent, with some limited exceptions on basic food items, healthcare, and education.

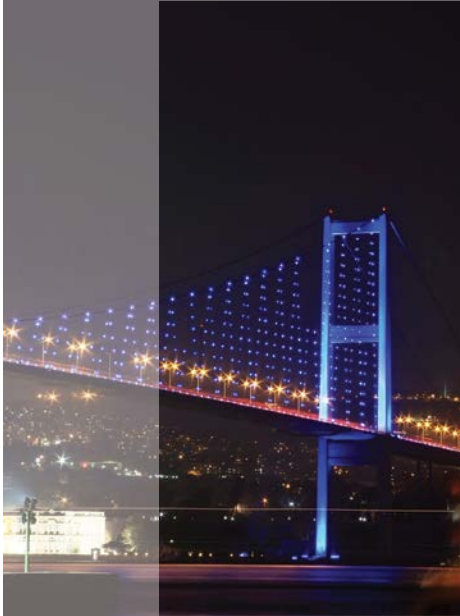
By way of background, the VAT Law is based on the common principles agreed by all Gulf Cooperation Council countries as outlined in the GCC VAT Agreement. Each member state of the GCC is expected to establish their own separate national legislation concerning the VAT and as such the detailed compliance requirements and set of rules will be outlined in each respective legislation.

We expect the remaining GCC countries, which include Kuwait, Oman, and Qatar to follow suite and introduce the VAT.



These are but a few major highlights of high profile events in Saudi Arabia that are indicative of the country's drive and motivation to develop its own innovation and economic systems. Saba IP, as one of the most active IP firms in the region, is also committed and very active in that area to increase awareness of IP rights in the region and for the region.

TURKEY | COUNTRY INSIGHTS



TURKEY

With a transcontinental location straddling both Asia and Europe, Turkey occupies a regional location of increasing economic significance and importance. Turkey's largely free-market economy is driven by its industry and, increasingly, service sectors. The automotive, petrochemical, and electronics industries have risen in importance and surpassed the traditional textiles and clothing sectors within Turkey's export mix.

Turkey's annual GDP growth averaged seven percent over the past year. The country's GDP is US\$2.173 trillion, while the GDP per capita is US\$26,900. The GDP composition is 6.7 percent for agriculture, 31.8 percent for industry, and 61.4 percent for services.

Following the adoption of Law no. 6769 on the Protection of Industrial Property Rights in January 2017, Turkey now maintains a relatively comprehensive regulatory and legislative system for the protection of trademarks, patents, designs, copyright, and trade secrets. The Law, which includes provisions on the protection of patents, integrated circuits, industrial designs, trademarks and trade names, ensures that Turkey's IP framework is better suited to the needs of IPR owners, and is more harmonized with global practice.

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 based on 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 valid reason after its registration date. In such a case, 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.

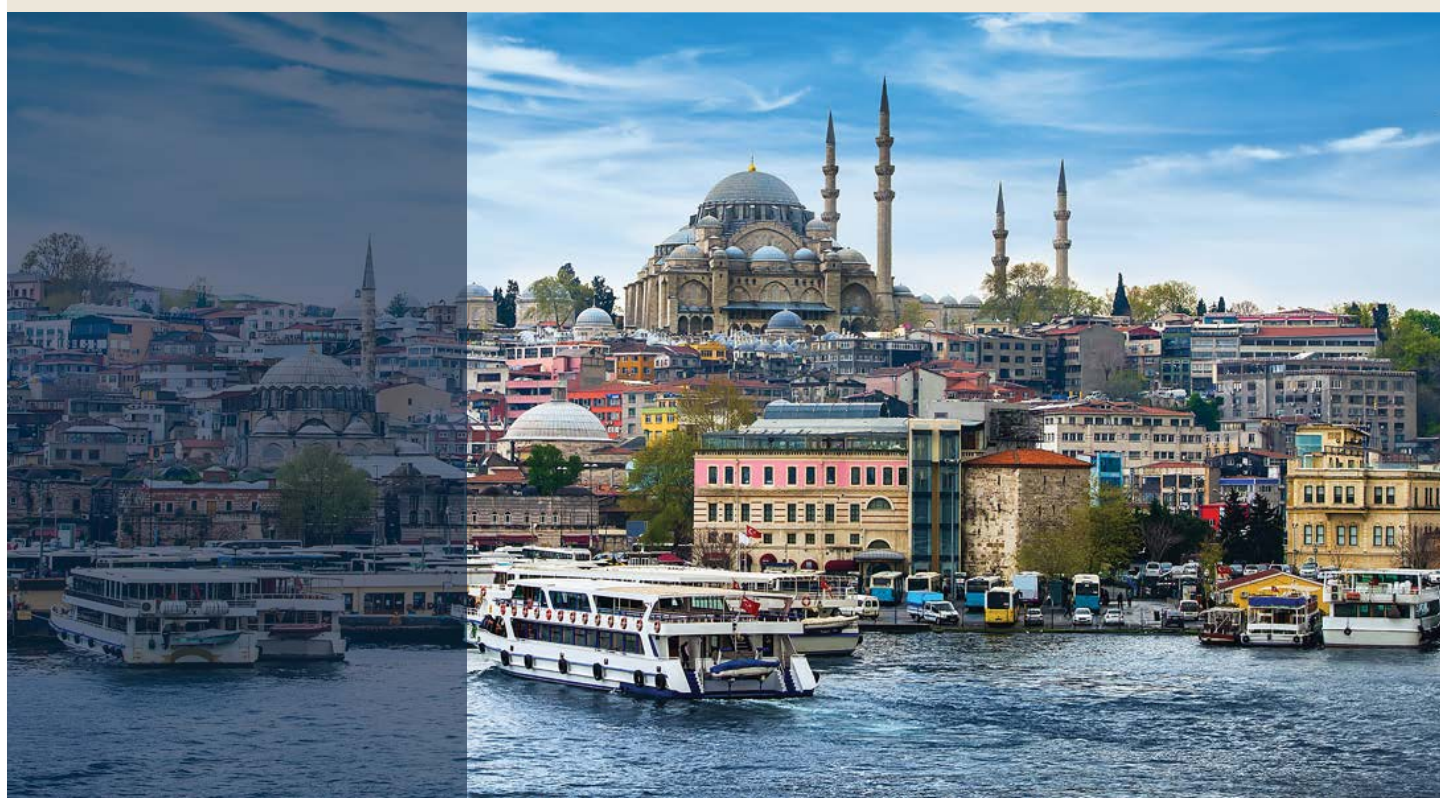
TURKEY | COUNTRY INSIGHTS

TURKEY

Turkey follows 11th edition of the Nice classification and multiclass applications are acceptable. Trademark examination is performed on formal, absolute, and relative grounds, and oppositions may be filed after 2 months from publication date. The protection term for a trademark is 10 years from filing date and is renewable for like periods.

On the patents front, it is possible to file patent applications in Turkey 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 Turkey. A one year grace period is observed for late payment along with a surcharge.

Turkey 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.



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