

SABA
INTELLECTUAL
PROPERTY

BULLETIN

September 2020

LEBANON

A Message Concerning
the Beirut Explosion

SAUDI ARABIA

Say It Loud:
First Sound Mark Registered

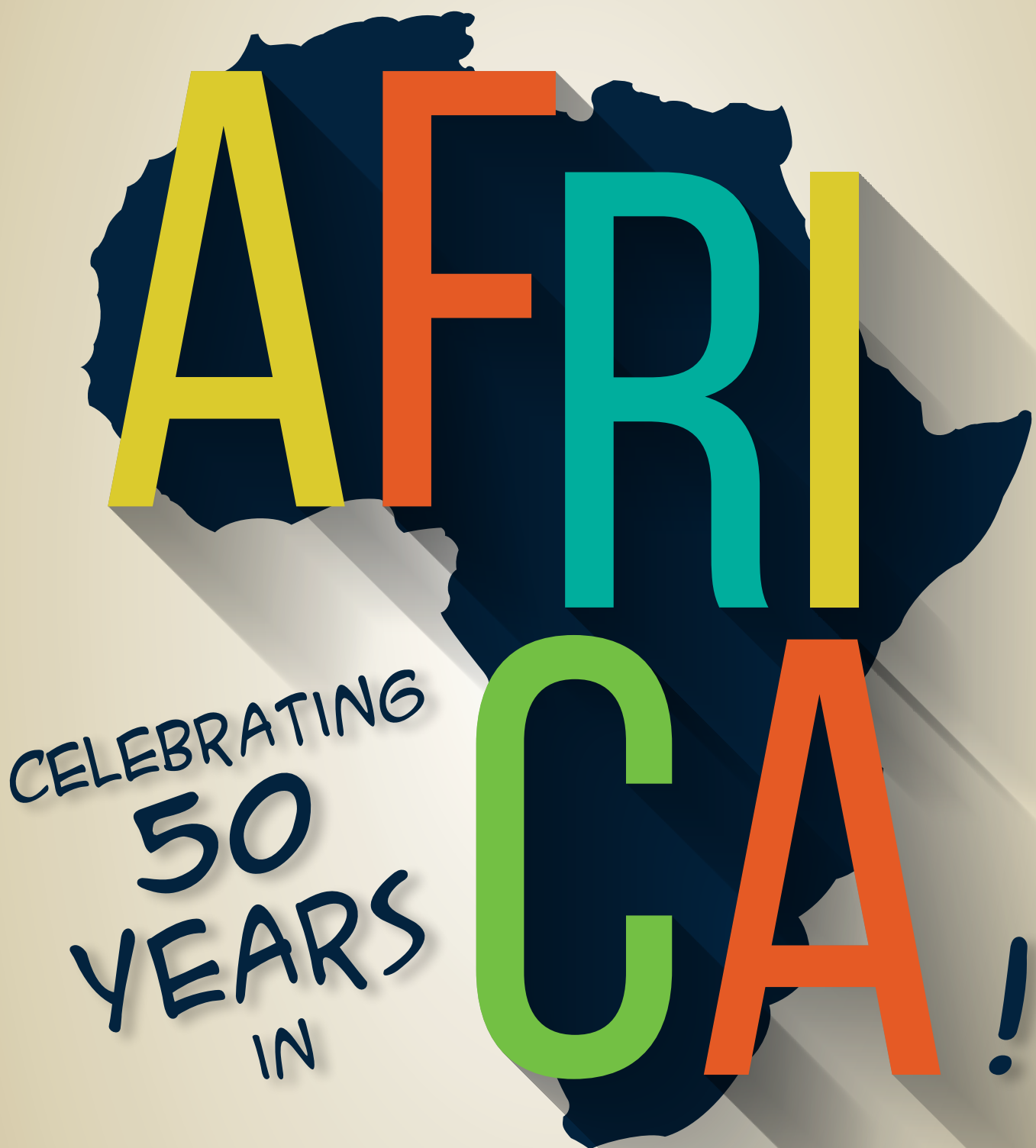
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LEBANON | A MESSAGE CONCERNING THE BEIRUT EXPLOSION



LEBANON

We all experienced the event on August 4, 2020 in a terrifying and disturbing manner, and find ourselves grieving as we tend to our wounds - both physical and emotional. We are grateful for the support and kind words from our friends and colleagues across the world. It is especially in these times that we most cherish the bonds that unite us.

Thankfully we are all safe, and our offices are unscathed. Our work will continue uninterrupted and you may send all your instructions, queries, and documents directly to your account managers and the people you are corresponding with at Head Office and Lebanon Office.

For more information, check ***Saba IP Network***.

SAUDI ARABIA | SAY IT LOUD: FIRST SOUND MARK REGISTERED



The Saudi Authority for Intellectual Property (SAIP) accepted the first sound trademark application in Saudi Arabia, with the sound represented on the application by a musical notation. The application was examined as to form only, and was subsequently registered.

By way of background, according to Article 2 of the Gulf Cooperation Council Trademark Law, the definition of a trademark includes color marks, sound marks, and smell marks. However, there are no precedents in Saudi Arabia on how prior cases regarding infringement of unconventional sound trademarks have been decided.

Generally speaking, the existence of such precedents gives an indication of how the local Saudi judicial interpretation of the Law would be in cases involving identical circumstances.

This means that the question of enforceability of sound trademarks is a matter solely determined by the articles on trademark infringement as referred to under the GCC Trademark Law.

LEBANON . SAUDI ARABIA . JORDAN

SAUDI ARABIA | COOPERATION FOR INNOVATION: SAIP SIGNS AGREEMENT WITH JPO



The Saudi Authority for Intellectual Property (SAIP) recently signed a memorandum of understanding (MOU) with the Japan Patent Office (JPO). The MOU aims to facilitate the processing, examination, and registration of applications for patents, industrial designs, and trademarks.

It is worth noting that the SAIP and the JPO have been implementing a patent prosecution highway (PPH) pilot program since January 2020. These developments come in light of the Saudi Arabia-Japan Business Forum for Saudi Arabia Vision 2030 and the Joint Group for Saudi-Japan Vision 2030 meeting that were held in late 2019.

We expect such agreements to continue fostering and developing a bilateral partnership in the field of intellectual property and to strengthen the relationship between Saudi Arabia and Japan.

Saudi Arabia shows its commitment to develop and establish a competent IP system and demonstrates its awareness of the strategic importance of IP on the country's economic development.

SAUDI ARABIA | FRAUDSTERS BEWARE: TOUGHER PENALTIES FOR COMMERCIAL FRAUD



In light of its continuous crackdown on intellectual property infringement and malicious business practices, Saudi Arabia issued a new decision in an effort to curb commercial fraud. New regulations were published in order to assist in eliminating the shady business practices in the country, and such measures include more stringent penalties for offenders of up to 5 years in prison and a fine of up to SAR 5 million (around US\$ 1.33 million).

Newly published regulations state that the definition of a commercial fraud crime has been expanded to include the act of selling and/or producing infringing or fraudulent products, or raw materials used to produce said products, that are harmful to human or animal health and safety.

By way of background, under the Gulf Cooperation Council Trademark Law, which is applied in Saudi Arabia, and the Anti-commercial Fraud Law, the Anti-Commercial Fraud Department (ACFD) at the Ministry of Commerce (MOC) has the jurisdiction to act on an ex officio basis or upon a request from brand owners or right holders in order to seize any and all goods that are suspected of bearing infringing trademarks.

Filing an administrative action before the ACFD must be done in writing, and must include all evidence of infringement and registered rights over the trademark. It is worth noting that Saudi Authority for Intellectual Property (SAIP) plans to absorb the responsibilities of ACFD in the near future to offer a streamlined and centralized service to brand owners and the parties concerned.

Such developments in Saudi Arabia showcase that the country is nurturing the right environment for the protection and enforcement of intellectual property rights.

LEBANON . SAUDI ARABIA . JORDAN

SAUDI ARABIA | GOING MICRO: BIOLOGICAL DEPOSITS FOR PATENTING PURPOSES



In its ongoing efforts to advance the patent protection scene in the country, Saudi Arabia recently ratified the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. With the Treaty in force, the deposit of a microorganism with an International Depositary Authority (IDA) will satisfy the deposit requirements of the national patent law in Saudi Arabia.

A key advantage of this update is that the Saudi Authority for Intellectual Property (SAIP) can rely on the Treaty's uniform standards to assure effective deposit and public availability via the IDAs.

This means that there is no longer a need for Saudi Arabia to independently establish a local recognized depository to meet national patentability disclosure requirements, which also benefits applicants when filing their patent applications with SAIP by using a single authority for deposit.

JORDAN | PAY ATTENTION: TIME FOR SUBSTANTIVE EXAMINATION



The Patent Office in Jordan announced that patent examination fees for applications filed on or after December 9, 2018 will become due. This announcement comes as an implementation of Article 20 of the last published Implementing Regulations in 2016. The fees will apply retroactively to all pending patent applications and will be applicable to all new patent filings.

By way of background, as part of the process of acceding to the Patent Cooperation Treaty, Jordan has amended Patent Law No. 71 of 2001 under Law No. 16 and 17 of 2017 and introduced new Implementing Regulations.

The Law is in line with the international standards which Jordan has been committed to through joining the various international IP treaties and conventions.



IT'S NOT ABOUT
BEING THERE.
IT'S ABOUT
BEING AWARE.



"THE OTHER
FIELD"
EDWARD HOPPER 1966

90⁺

YEARS OF EXPERIENCE

18

OFFICES

1

STOP SHOP IP FIRM

COUNSELING | PROSECUTION | ENFORCEMENT | ANTI-COUNTERFEITING

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