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February 2021

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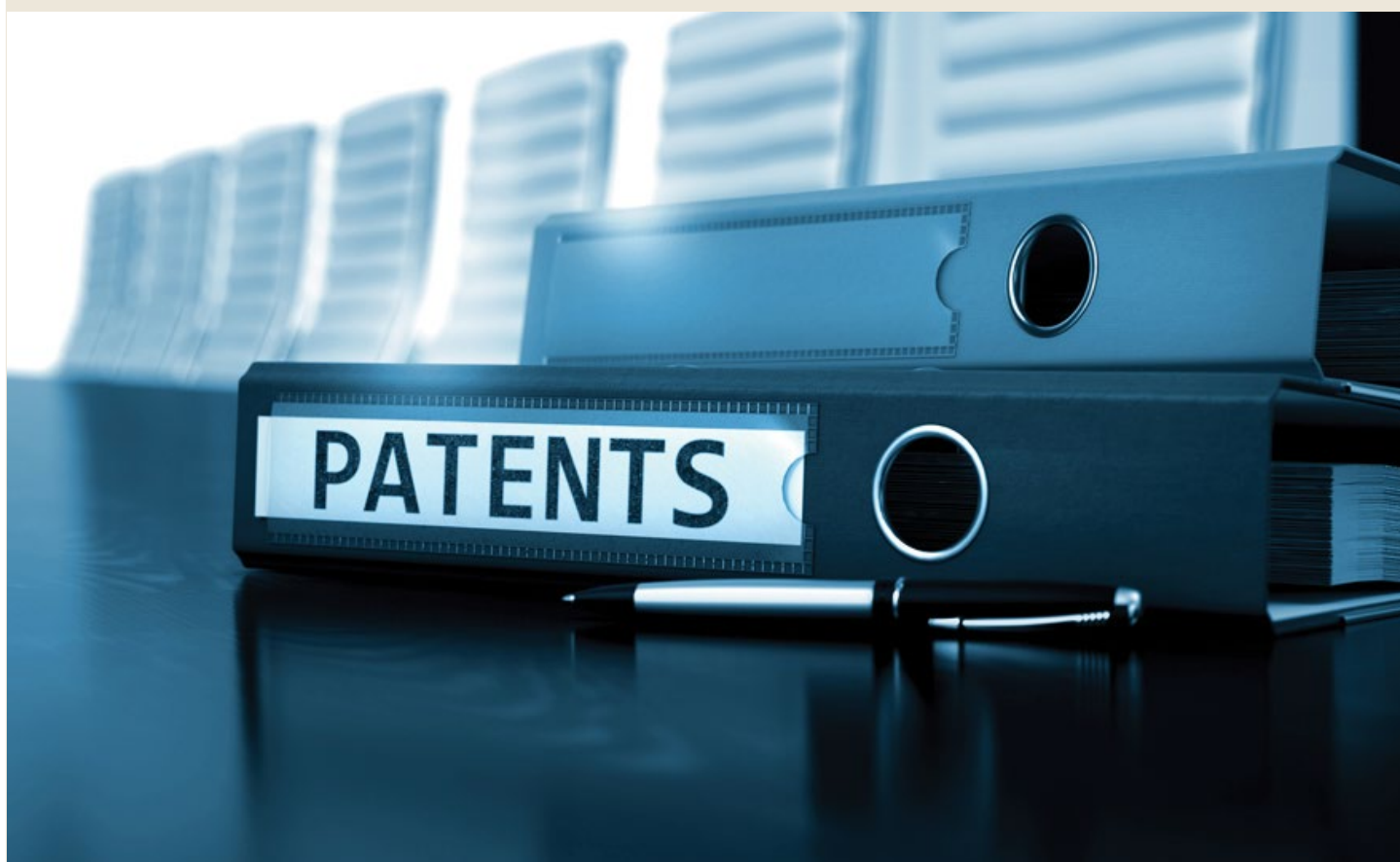
GCC | THE END OF AN ERA: GCCPO STOPS ACCEPTING NEW PATENT APPLICATIONS

On January 6, 2021, following several decisions that were issued by the Gulf Cooperation Council (GCC) Supreme Council during its 41st meeting on January 5, 2021, an amended GCC Patent Law (Regulation) was approved. **In a statement made on its official website, the GCC Patent Office (GCCPO) announced that as of January 6, 2021, it will no longer accept new patent application filings.**

Following this unexpected announcement by the GCCPO, any applicants who are interested in filing a new patent application in any of the six member countries, namely

Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates, should either: **(1) file a patent application via the Paris Convention in each member country within 12 months from the earliest filed priority application; or (2) file a Patent Cooperation Treaty (PCT) application and then enter the national phase in each of one or more of the six above-mentioned member countries.**

The sudden and unanticipated nature of the GCCPO's announcement raises the question as to what will happen to the patent applications that are currently pending at the GCCPO.



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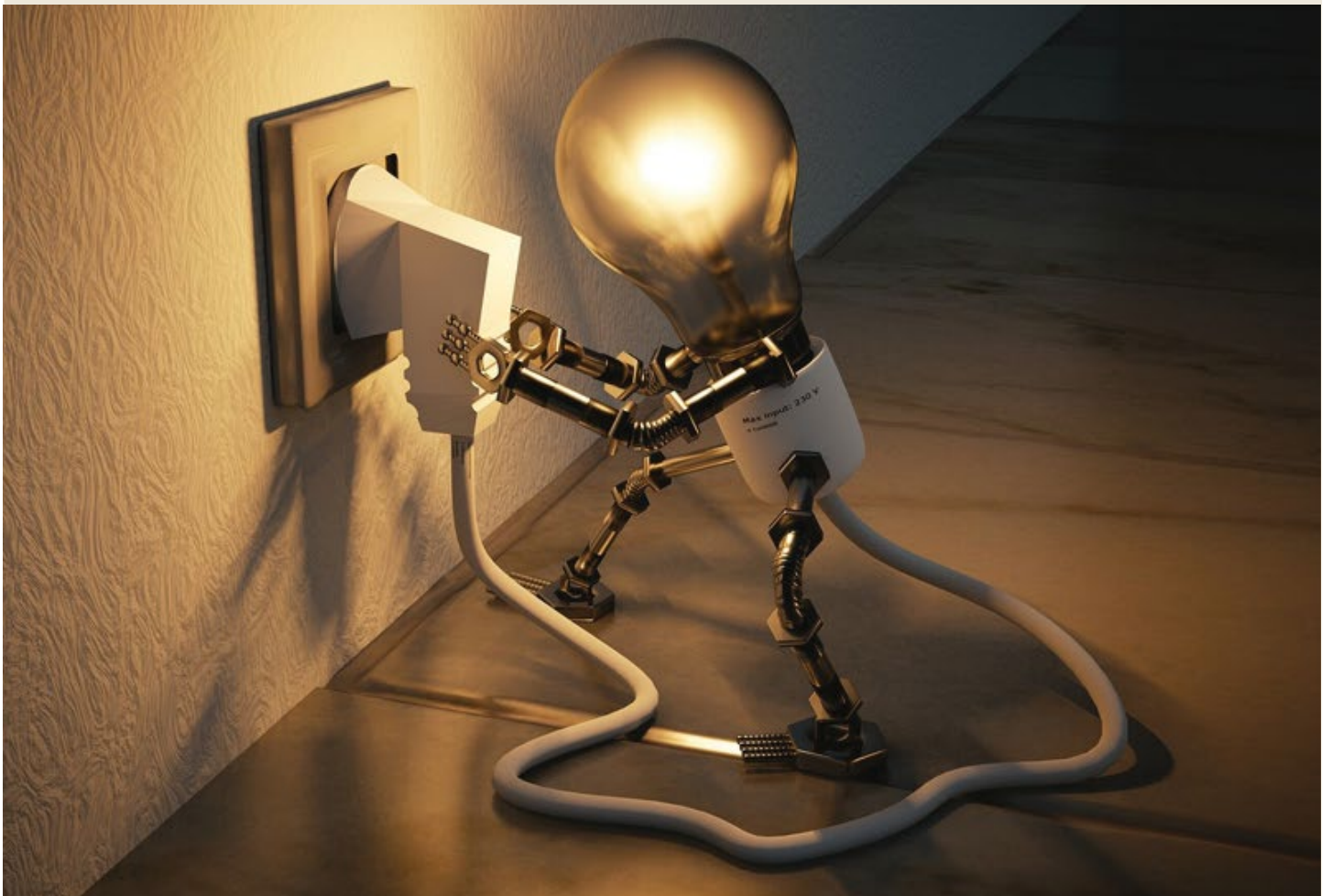


Based on the current understanding and reading of the situation, it is expected that the GCCPO will continue to process these applications; however there has been no official notification from the authorities concerned at the GCCPO that offers insight at the time of publishing this report.

Nonetheless, we are awaiting further information from the GCCPO as to how the processing of pending applications and granted patents will be handled on an ongoing basis in light of this announcement. Additionally, we are also awaiting updates and guidance from each of the national patent offices of the GCC member states as to their capability and capacity to assume the burden of processing, publishing, examining, and issuing the anticipated increase in national filings that will result from this decision. Whereas the GCCPO used to issue patents between 5 to 7 years from filing, some countries, namely Kuwait, have yet to issue their first patent.

By way of background, the GCC Patent Law was introduced in 1992. The first GCC patent application was filed in 1998 and the Law was amended in 1999. The related Implementing Regulations were issued in 2000.

UAE | STRASBOURG AGREEMENT AND BUDAPEST TREATY RATIFIED



The United Arab Emirates (UAE) recently ratified its accession to the Strasbourg Agreement Concerning the International Patent Classification and the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

The news concerning the ratification of the Strasbourg Agreement and the Budapest Treaty was announced through Federal Decrees 165 and 168 respectively on November 10, 2020 and published in the Official Gazette on December 15, 2020.

By joining these international intellectual property (IP) treaties, specifically with regard to patents, the UAE is continuously showcasing its unrelenting efforts to modernize the IP legal framework and office practices.

UAE | INTRODUCTION OF CONSUMER PROTECTION LAW (FEDERAL DECREE LAW NO. (15) OF 2020)



As part of the ongoing national campaign to maintain the highest level of consumer protection, the United Arab Emirates (UAE) issued Federal Law No. 15 of 2020, colloquially known as the Consumer Protection Law, on November 10, 2020.

The new Consumer Protection Law, which repeals the outgoing Federal Law No. 24 of 2006, covers all goods and services within the national borders of the seven Emirates that comprise the UAE, including the free trade zones and all related operations carried out by suppliers, advertisers or trade agents-including electronic commerce (e-commerce) transactions if the supplier is registered in the UAE.

As stated in Article 33 of the Consumer Protection Law, companies will have a one year transition period to comply with the provisions of new Law from the date it enters into force. We expect that the authorities concerned in the UAE will be issuing the Implementing Regulations, and accordingly, the Law is expected to come into force in May 2021.

The main three key provisions of the Consumer Protection Law are listed below.

CONSUMER PRIVACY

According to Article 4 of the Consumer Protection Law, suppliers and businesses now have an obligation to safeguard their consumers' data. As such, suppliers and businesses are prohibited from using consumer data and information for marketing and promotional purposes.

Furthermore, the consumers' religious views, customs, and traditions must be protected when providing a commodity or receiving any service.

E-COMMERCE

Pursuant to the provisions listed in Article 25 of the aforementioned Law, all e-commerce providers registered that are within the UAE have the obligation to provide the

UAE | INTRODUCTION OF CONSUMER PROTECTION LAW (FEDERAL DECREE LAW NO. (15) OF 2020)



consumers and competent authorities with their names, legal status, address, licensing authorities, and all the sufficient information in Arabic on the services they provide, specifications, terms of contracting, payment and warranty terms. Moreover, according to the provisions stipulated in Article 8, all the information made available to consumers, data, advertisements, contracts and invoices must be in Arabic. It is worth noting that other languages may also be used alongside the main language, which as stated above is Arabic, at the supplier's discretion.

PENALTIES

A much welcomed addition to the new Consumer Protection Law is the inclusion of

tougher provisions that impose much heavier penalties on suppliers who falsely advertise their products or services in order to deceive unsuspecting consumers. Such deceiving parties can face imprisonment of up to two years and a fine not exceeding AED 2 million (around USD 545,000).

It is worth noting that the penalties will be doubled for second time offenders. The aim of imposing such substantial fines and penalties is an effort in order to insure a better protection to consumers and reduce the number of repeat offenders.

SAUDI ARABIA | ZOOMING TOWARDS INNOVATION: SAIP SIGNS NEW PPH AGREEMENT

SAUDI
ARABIA

The Saudi Authority for Intellectual Property (SAIP) recently signed a patent prosecution highway agreement with the China National Intellectual Property Administration (CNIPA). The PPH agreement is expected to foster and develop a bilateral partnership in the field of intellectual property and to strengthen the relationship between Saudi Arabia and the People's Republic of China. The PPH allows an application that has been determined to be patentable in the CNIPA to undergo an accelerated examination with a simple procedure upon the applicant's request.

It is worth noting that the SAIP has already signed PPH agreements with the United States Patent and Trademark Office (USPTO), the Japan Patent Office (JPO), and the Korean Intellectual Property Office (KIPO).

We expect these PPH agreements, among other efforts by the SAIP, will streamline the Saudi patent registration procedures and attract foreign patent applicants to register their inventions in Saudi Arabia.

WEST BANK | A PAPERLESS FUTURE: TRADEMARK REGISTRATIONS GOING ONLINE



Given the recent trend in going paperless in the region, the Trademark Office in West Bank is planning on introducing an electronic platform for the filing of trademark applications in the near future. We expect this new practice to pave the way for a smoother trademark registration process in West Bank and to accelerate the introduction of further electronic services at the TMO.

TRADEMARK PROTECTION FRAMEWORK IN WEST BANK

Classification

10th edition – single class application

Search

Possible for word and device marks

Examination

On formal, absolute, and relative grounds

Opposition

3 months from publication date

Protection Term

7 years from filing date and renewable for periods of 14 years each

Use

Vulnerable to cancellation if mark has not been used for 2 years from filing date



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