

SABA
INTELLECTUAL
PROPERTY

BULLETIN

July 2021



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New Customs Procedure

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Issued

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EGYPT | SMOOTH SAILING: NEW CUSTOMS PROCEDURE

The Egyptian Customs Authority launched a new electronic system for the pre-registration of all shipment information, aptly named the Advanced Cargo Information (ACI). Registration on the ACI will be mandatory for all shipments arriving at Egyptian seaports from July 1, 2021. Air and land ports will follow suite in the next phase of implementation and will require registration for all inbound cargo on the ACI.

Exporters who plan to deliver goods to Egypt by sea must register in advance once with CargoX, the blockchain service provider for immutably registering and transferring the shipping documents. Consequently, importers must enter all relevant data using a proforma invoice via Nafeza, the National Single Window for Egyptian Trade electronic platform. The system will then issue an Advanced Cargo Information Declaration (ACID) number within 48 hours. All documents such as invoices, certificates of

origin, and shipping documents must list the aforementioned ACID number. Any and all deliveries arriving with shipping documents that have no ACID number will be rejected.

It is worth noting that the regulations stipulated by the General Organization for Export and Import Control (GOEIC) to authorize the import of certain goods are still enacted despite the updated Customs procedure. By way of background, trademark owners are required to record the name of the manufacturer, as well as the corresponding trademark registration of the imported products at the GOEIC. For more information on the requirements for the recordal and a comprehensive list of products that require registration with the GOEIC, [click here](#).

We expect this update to streamline and speed up Customs procedures for exports to Egypt through the online system.



KUWAIT | FRAUDSTERS BEWARE: IMPLEMENTING REGULATIONS OF ANTI-COMMERCIAL FRAUD LAW ISSUED



KUWAIT

In light of its revived efforts to crackdown on intellectual property infringement and malicious business practices, Kuwait published the Implementing Regulations of the unified GCC Anti-Commercial Fraud Law No. 20 of 2019.

The new regulations were published on May 31, 2021 in order to assist the authorities concerned in their ongoing efforts to enforce the Law and eliminate shady business practices in the country.

By way of background, the Law states 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 health and safety.

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

TURKEY | ONLINE ANTI-COUNTERFEITING MEASURES



Located at the crossroads of Asia and Europe, Turkey occupies a transcontinental position of significant importance, which bestows upon the country a considerable influence across the region and beyond. Turkey's strategic geographic position makes it an important energy and logistics corridor, linking Europe with the Middle East, the Caucasus, and Central Asia.

With the rise of ecommerce sites, many infringers and counterfeiters are resorting to online platforms to pawn their illicit goods to unsuspecting consumers. Nonetheless, this does not mean that such criminals are beyond the long arm of the Law in Turkey. Court actions are available as a remedy for online infringement if the brand owner can associate the infringer with a local entity or individual in Turkey.

In fact, Turkey maintains strict control when it comes to registering domain names under

the “.tr” country code. The Information Technologies Authority, which acts as the competent registrar, applies strict rules and requires precise and detailed documentation for proof of genuine rights ownership before granting the designation. This process makes it extremely challenging and near impossible for infringers to register fraudulent domain names under the “.tr” country code.

In addition, it is worth noting that an internet service provider in Turkey may be held accountable for aiding an infringer, or is unaware of the ongoing infringement activities and is able to block or suspend the infringing website. As aforementioned in the section titled “Laying down the Law,” Turkey maintains Law No. 5651 in order to set down the guiding principles as related to the liability of content, hosting, and internet service providers. The Law also applies to acts of online counterfeiting and piracy.

THE BIGGER YOU GROW,
THE STRONGER WE GET



90⁺
YEARS

50⁺
JURISDICTIONS

1
FIRM

COUNSELING | PROSECUTION | ENFORCEMENT | ANTI-COUNTERFEITING

SABA
INTELLECTUAL
PROPERTY

sabaip.com

THE SABA NETWORK

Head Office

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
headoffice@sabaip.com

Algeria

Cabinet Boukrami
(In cooperation with Saba & Co. IP)
Centre Commercial et d'Affaires El Qods
10th floor, BU 10-04 B, Cheraga 16002
Algiers, Algeria
T. +213 21 34 11 61
F. +213 21 34 11 62
P.O. Box 86 Centre Commercial et d'Affaires
El Qods, Cheraga 16002
info@boukrami.com

Bahrain

Bahrain Tower, Al-Khalifa Road
Manama, Bahrain
T. +973 17 210 301
F. +973 17 224 699
P.O. Box 21013
bahrain@sabaip.com

Cyprus

Mitsis Building #2
14, Makarios Avenue
1065 Nicosia, Cyprus
T. +357 22 755 434
F. +357 22 754 037
P.O. Box 21143
1502 Nicosia
cyprus@sabaip.com

Djibouti

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
djibouti@sabaip.com

Egypt

10 Aisha El Taymouriah Street
Garden City, CP 11451
Cairo, Egypt
T. + 20 2 279 59686
F. + 20 2 279 52314
P.O. Box 129, Mohamed Farid
info@sabaip-eg.com

Ethiopia

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
ethiopia@sabaip.com

Gaza

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
gaza@sabaip.com

Iraq

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
iraq@sabaip.com

Jordan

56 Prince Shaker Bin Zaid Street
Al Shmeisani
Amman, Jordan
T. +962 6 464 2145
F. +962 6 464 2159
P.O. Box 840553, Amman 11184
jordan@sabaip.com

Kuwait

Jassim Ahmed Alfahed
(In cooperation with Saba & Co. IP)
Al Hajri Building,
Al-Shuhadaa Street Kuwait, Kuwait
T. +965 2 242 3428
F. +965 2 240 2243
P.O. Box 1245, 13013 Safat
kuwait@sabaip.com

Lebanon

Saba House,
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 840
F. +961 5 454 842
P.O. Box 11-9420
lebanon@sabaip.com

Libya

Saba House,
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
libya@sabaip.com

Morocco

185 Boulevard Zerkoutni
Residence Zerkoutni
Casablanca 20330
Casablanca, Morocco
T. +212 522 251 530
F. +212 522 251 603
P.O. Box 13 921
Casablanca 20032
morocco@sabaip.com

Oman

Muscat International Centre
Beit Al Falaj Street
Muscat, Oman
T. +968 248 111 26
F. +968 248 111 28
P.O. Box 2027 Ruwi
Postal Code 112, Sultanate of Oman
oman@sabaip.com

Qatar

Gridco Building
C Ring Road
Doha, Qatar
T. +974 44 42 3992
F. +974 44 32 4106
P.O. Box 14035
qatar@sabaip.com

Saudi Arabia

Al Hadaf Marks Services LLC
(In Cooperation with Saba & Co. IP)
Office # 1, 2nd Floor, Tower B GOSI Olaya
Towers Olaya Street, Riyadh 12213,
Saudi Arabia
T. +966 11 2079596
F. +966 11 2079598
P.O. Box 61145 Riyadh 11565
saudi@sabaip.com

Sudan

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
sudan@sabaip.com

Tunisia

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
tunisia@sabaip.com

United Arab Emirates

Tamani Arts Tower - 18th Floor
Al Asayel Street, Business Bay
Dubai, UAE
T. +971 4 553 9911
F. +971 4 566 8470
P.O. Box 42259
uae@sabaip.com

West Bank

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
F. +961 5 454 844
P.O. Box 11-9421
westbank@sabaip.com

Yemen

Hadda Towers, Building #7
Hadda Street
Sana'a, Yemen
T. +967 1 420 595
F. +967 1 420 596
P.O. Box 1493
yemen@sabaip.com