

# BULLETIN

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## SAUDI ARABIA | UPCOMING ACCESSION TO THE HAGUE CONVENTION

**As part of the ongoing national campaign to ease market entry and promote the growth of the private sector, Saudi Arabia approved the accession to The Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents (Apostille). Saudi Arabia is expected to complete the necessary legal procedures for the Kingdom's accession to the aforementioned agreement.**

By way of background, the Hague Convention is a multilateral treaty that was drafted by the Hague Conference on Private International Law and was first enforced in 1965 by the initial ratifying states, including the United Kingdom, the Netherlands, and Hong Kong. The Convention specifies how certain types of documents issued in a signatory state can be certified for legal purposes in the other signatory states.

A certification pursuant to the Convention is called an apostille. To be eligible for an apostille, a document must first be issued or certified by an officer recognized by the authority that will issue the apostille.

With Saudi Arabia's upcoming accession, this means that if the convention applies between two countries, such an apostille is sufficient to certify a document's validity, and removes the need for double-certification, by the originating country and then by the receiving country.

This update is bound to reduce complexity, timelines and possibly cost for the private sector in Saudi Arabia.



## EGYPT | TAKE IT ONLINE: ELECTRONIC PROCESSING OF PATENTS LAUNCHED



As more and more patent offices in the Middle East and North Africa evolve with updated laws, regulations or systems, the services they provide improve and become more streamlined and efficient. Not surprisingly, the Egyptian Patent Office (EGPO) launched its electronic patent services and began receiving and processing patent applications in electronic form as of January 1, 2022, via its online platform.

The new platform provides for a number of new features, such as specific format for submitting English and Arabic specifications, managing office actions, annuities and more. Applicants should expect certain changes as the system is thoroughly tested over time.

We expect this new practice to significantly speed up procedures at the EGPO, and to undoubtedly facilitate the registration process and promote innovation in Egypt.

### WHAT YOU NEED TO KNOW ABOUT PATENTS IN EGYPT

**Equivalent Search:** Patent applications and patents may be searched by title, patentee name, priority/PCT number, application number, subject matter

**Examination:** As to form, novelty, inventiveness, industrial applicability, unity, and compliance

**Publications:** Patents are published in the Official Gazette after allowance

**Opposition:** 60 days from publication

**Annuities:** Due annually on the anniversary of the international filing date and payable prior to grant. 12 months grace period for late payment with a surcharge

**Protection Term:** 20 years from the international filing date (minus one day)



## OAPI | LAYING DOWN THE NEW IP LAWS

The long awaited amendments to the OAPI system are now in force. The African Organization for Intellectual Property, better known by the French acronym OAPI, announced that the new IP laws concerning trademarks, geographic indications, utility models, and industrial designs entered into force on January 1, 2022.

The amendments have been ratified by the OAPI member states, which are Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Republic of Congo, Ivory Coast, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal, Togo, and Comoros.

In addition to expanding the definition of a trademark to include sound marks, the new Law stipulates that certification marks can now be registered. Goods and services can now be included in the same trademark application, and it will be possible to divide a trademark application according to goods or services at any stage before registration.

A much-welcomed update that is bound to bolster enforcement measures in OAPI is that Customs authorities will now be able to detain suspected counterfeit goods on the written request of the trademark owner. The trademark owner will have a period of 10 days (three days in the case of perishable goods) from notification of the detention of the goods to launch civil or criminal proceedings.

Common law rights are now formally recognized in OAPI, and a third party is entitled to file a claim of ownership objection during the opposition period on the basis of prior use of a mark.

The new Law also stipulates that Geographical Indications -are protectable under the revised Bangui Agreement, and protection is extended to agricultural and artisanal products, amongst others.

As for industrial designs, applications will be published for a three-month opposition term, prior to registration.



**THE BIGGER YOU GROW,  
THE STRONGER WE GET**



**90<sup>+</sup>**  
YEARS

**50<sup>+</sup>**  
JURISDICTIONS

**1**  
FIRM

COUNSELING | PROSECUTION | ENFORCEMENT

**SABA**  
INTELLECTUAL  
PROPERTY

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