

**SABA**  
INTELLECTUAL  
PROPERTY

**BULLETIN**

March 2022

**IRAQ**

All aboard the PCT Train

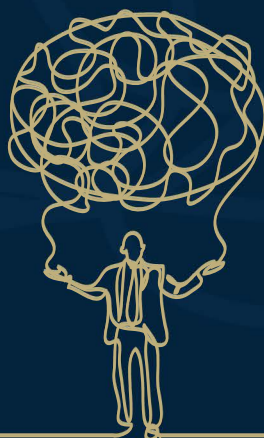
**KUWAIT**

Going Paperless at  
the Patent Office

Sounds like Arabic: Updated  
Requirements for the  
Registration of Trade Names

**SAUDI ARABIA**

Copycats Beware, Copyright  
Protection Is In Town



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INTA

2022 Annual Meeting Live+  
IN-PERSON + VIRTUAL

APRIL 30 - MAY 4  
WASHINGTON, D.C.

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## IRAQ | ALL ABOARD THE PCT TRAIN



After years of preparation, workshops, and meetings, Iraq has finally taken the leap and acceded to the Patent Cooperation Treaty (PCT) on January 31, 2022. The Treaty will enter into force on April 30, 2022, and once the proper infrastructure has been established, all international applications, filed on this date or after, will designate Iraq for national stage entry.

This is a welcome relief for applicants interested in obtaining patent protection for their investments in Iraq. Having that additional grace period prior to triggering the decision to file or not to file in Iraq based on the international search, places the country in a better position for seeing more applications entering at the national stage. The mechanisms, requirements, and deadlines applicable to the national entry of PCT applications remain to be seen.

## KUWAIT | GOING PAPERLESS AT THE PATENT OFFICE

As more and more patent offices in the Gulf Cooperation Council (GCC) evolve with updated laws, regulations or systems, the services they provide improve and become more streamlined and efficient.

Not surprisingly, the Patent Office in Kuwait (KPO) launched an updated version of its e-platform in February 2022.

The KPO initially unveiled its online platform in May 2021, which allows receiving and processing applications and renewals in electronic form. This development, which follows the recently announced examination,

publication, and grant of several pending applications, is a clear indication of the KPO's intention to secure national patents for local and foreign innovators with business and investment interests in Kuwait.

The recent update is also a recognition of the KPO's continued investment in developing its patent system, following last year's announcement that the regional GCC Patent Office stopped accepting new filings, upon which Kuwait was dependent.







The Decree, which was published in the Official Gazette in January 2022, states that a trade name may be registered in both Arabic and Latin characters. The Latin name should be synonymous with the Arabic translation or could be a direct transliteration of the name, however.

The aforementioned point is extremely salient to note since a trade name in a foreign language could have a plethora of translations in Arabic due to the robust vocabulary of the Arabic language. Consequently, a brand owner may consider many translation options depending on the intended meaning of the word in question.

Another complexity that arises with the transliteration of a foreign name into Arabic is the pronunciation of Arabic letters. For example, the same Arabic letter would be used to represent the letters "B" and "P," since the Arabic alphabet does not have a corresponding letter that makes the sound "P." It is therefore imperative to create a localized version of the trade name in Arabic, whether the word is translated or simply transliterated.

## SAUDI ARABIA | COPYCATS BEWARE, COPYRIGHT PROTECTION IS IN TOWN

In an effort to encourage the creation of art and culture, the Saudi Authority for Intellectual Property (SAIP) announced the launch of the online optional registration service for copyrights in Saudi Arabia.

By way of background, the Implementing Regulations of the Copyright Law entered into force in December 2019, which confirm the present procedures in Saudi Arabia. As such, the Law grants authors and artists the exclusive right to make and sell copies of their works, the right to create derivative works, and the right to perform or display their works publicly.

It is worth noting that copyright protection in Saudi Arabia extends to computer software and architectural works (e.g., buildings themselves as well as blueprints, drawings, diagrams, and models).

### COPYRIGHT PROTECTION FRAMEWORK IN SAUDI ARABIA

**Member of Berne Convention and TRIPS Agreement**  
Yes

**Registration**  
Possible for nationals as well as foreigners

**Filing Requirements**  
Power of attorney, legalized  
Copy of the work of art

**Duration**  
The life of the author plus an additional 50 years





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



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

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

**1**  
FIRM

COUNSELING | PROSECUTION | ENFORCEMENT

**SABA**  
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