

**SABA**  
INTELLECTUAL  
PROPERTY

**BULLETIN**

**July 2022**

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**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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## UAE | UPDATED REQUIREMENTS FOR FILING PATENT APPLICATIONS



Authenticity of foreign signatures and documents in the UAE requires what is known as legalization to be legally valid. The legalization process is both time consuming and costly; in addition, places certain transactions at risk if a legalized document is not secured within a statutory period of time.

Supporting documents for national entry of PCT applications in the UAE require the following legalized documents: a Power of Attorney (POA), an Inventor Deed of Assignment (DOA) and an extract from the commercial register. For repeat applicants that have already submitted a general POA to a local IP associate and a commercial register, the only requirement for each new national filing remains a legalized DOA. Scanned copies of these documents are acceptable, thus avoiding the further cost and risk of delay in shipping these documents in original form.

The Emirati Patent Office recently announced that a DOA may be submitted as a notarized document only, essentially, like an Apostille stamp, without the need for the further processing up to legalization by the Emirati Consulate.

With the constantly and rapidly growing and diversifying industry in the UAE, even such a simple update is welcome news, to SMEs looking at expanding their footprints and investments into this Arabian Gulf state. For the large firms that usually include the UAE as part of the global filing strategy, this cost cutting measure is also a welcome step, especially considering the revised budgets for securing patent filing in all six GCC member countries.

UAE . SAUDI ARABIA . QATAR . KENYA . CABO VERDE

## SAUDI ARABIA | DECREASE IN TRADEMARK PUBLICATION FEES



SAUDI  
ARABIA

The Saudi Authority for Intellectual Property (SAIP) announced a decrease in the official publication fees of trademark applications. The new rates will apply to all applications filed on or after June 9, 2022.

By way of background, trademark applications and recordals are published electronically in the Official Gazette upon acceptance. Oppositions may be filed within 60 days from publication date.

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## SAUDI ARABIA | COPY THAT: COPYRIGHT PROTECTION IS IN TOWN



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

This comes after the Implementing Regulations of the Copyright Law entered into force on December 23, 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 also 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



UAE . SAUDI ARABIA . QATAR . KENYA . CABO VERDE

## QATAR | THE BALL IS IN YOUR COURT: SETTLING INTELLECTUAL PROPERTY DISPUTES



# QATAR

As part of the country's efforts in advancing its intellectual property (IP) procurement and investment scene, Qatar established the Court of Investment and Commerce (CIC).

The CIC, which was inaugurated on May 10, 2022, is handling all issues pertaining to dispute resolution and enforcement of IP rights. The status of the laws and regulations in Qatar provide brand owners with all the rights to be able to protect their intangible assets and encourage further investment in developing innovative products and processes.

Creating the right protection and enforcement environment is crucial to these developments and rights holders must be ready and willing to adopt a model that incorporates both legal and regulatory approaches in order to arrive at a well-established IP protection strategy in Qatar.

## KENYA | SMOOTH SAILING: NEW CUSTOMS MEASURES

**In an effort to combat counterfeiting and piracy, the Kenyan Anti-Counterfeiting Authority (ACA) recently adopted a further measure to combat imports of counterfeit goods into the country, as stated in Section 34B of the Anti-Counterfeit Act, 2008 and the Anti-Counterfeit Recordation Regulations of 2021.**

Brand owners have a deadline of January 1, 2023 to register their IP rights with the ACA for any goods that they wish to import to Kenya. The new measures apply to all businesses that are importing branded goods into the country.

The recordal, which is valid for the period of one year or the current registration period of the IPR, whichever is shorter, will allow the ACA to adopt an ex-officio border system that will facilitate prompt and proactive action.

Preventative measures, such as Customs recordal, are an important keystone that can offer strong and reliable protection for brand owners as the first line of defense. With that in mind, when planning to implement a strong enforcement strategy, brand owners must seek out a combined approach to tackle infringement or counterfeiting by utilizing all means necessary at the disposal in Kenya.



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## CABO VERDE | ALL ABOARD THE ARIPO TRAIN



The island-nation of Cabo Verde is set to be the 22nd member of the African Regional Intellectual Property Organization (ARIPO).

Cabo Verde, which is located across the western shores of Africa, acceded to the Lusaka Agreement, Banjul, and Harare Protocols and the treaties are expected to enter into force on July 6, 2022.

**In related news, Cabo Verde also recently approved accession to the Madrid Protocol, the Patent Cooperation Treaty, the Paris Convention for the Protection of Industrial Property, and the Lisbon Agreement for the Protection of Appellations of Origin.**



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