

SABA
INTELLECTUAL
PROPERTY

BULLETIN

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OMAN

Oman Implements Progressive Fee
Adjustments to Foster Intellectual Property
Growth

MOROCCO

USPTO and OMPIC Collaborate to
Accelerate Patent Processing with PPH
Program

KUWAIT

Annuities Go Digital

SAUDI ARABIA

Linking the Dots: Navigating the Patent
Linkage System

LIBYA

TMO Resumes Operations



OMAN . MOROCCO . KUWAIT . SAUDI ARABIA . LIBYA

OMAN | OMAN IMPLEMENTS PROGRESSIVE FEE ADJUSTMENTS TO FOSTER INTELLECTUAL PROPERTY GROWTH



In a significant move to foster innovation and support intellectual property rights, the National Intellectual Property Office at the Ministry of Commerce, Industry, and Investment Promotion of Oman has recently taken a proactive step. According to decision 292/2023, the authorities concerned implemented a series of measures aimed at enhancing accessibility to intellectual property services and patent registration. As a part of this initiative, the Ministry has streamlined and restructured the associated fees, thereby promoting a more conducive environment for creativity and invention.

Under the new regulations, individuals and companies can now benefit from a range of fee reductions and eliminations. One notable change includes the elimination of fees previously required for issuing copies of patents or related documents after grant, making it easier for inventors to protect and

share their ideas. Moreover, the charges for checking records with both the patent office and the trademark office have been simplified to a single, more affordable fee, encouraging greater participation in the intellectual property system.

Oman has made significant developments by reducing publication fees when publishing with the Ministry, aiming to facilitate broader dissemination of innovative ideas and foster an environment that nurtures entrepreneurship and invention. These forward-thinking adjustments demonstrate Oman's commitment to promoting innovation and supporting intellectual property rights, encouraging inventors, entrepreneurs, and companies to confidently explore and protect their intellectual assets. As a result, a thriving ecosystem is created, driving economic growth in the Sultanate while nurturing creativity.

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MOROCCO | USPTO AND OMPIC COLLABORATE TO ACCELERATE PATENT PROCESSING WITH PPH PROGRAM

Exciting news for inventors and innovators! The Moroccan Industrial and Commercial Property Office, known by its French acronym OMPIC, and the United States Patent and Trademark Office (USPTO) are teaming up to launch a new Patent Prosecution Highway (PPH).

The PPH is a special collaboration between different patent offices around the world, with the goal of speeding up the process of patent applications. This program is built on the idea of benefiting from examination results from other patent offices, which means that applications

may progress through examination and allowance faster. This helps to reduce waiting times for patent applicants and secure a preferred overall quality of granted patents.

This PPH is the third of its kind in Morocco, following successful pilot programs with the Spanish Patent and Trademark Office (OEPM) and the Japan Patent Office (JPO). We are thrilled to be part of this innovative collaboration and look forward to helping inventors and innovators get their patents approved more quickly and efficiently in Morocco.



KUWAIT | ANNUITIES GO DIGITAL



KUWAIT

The Kuwait Patent Office (KPO) has announced that the online portal is now operational for the payment of annuities.

To keep their applications and patents valid, owners are required to pay their annuities, including upcoming ones, during the pendency of their applications. Failure to pay annuities within the statutory term or grace period will lead to the lapse of patent applications and patents.

Annuities in Kuwait are due at the beginning of each year and must be paid within the first quarter, from January 1 to March 31, with a grace period until June 30, subject to a surcharge. There are no mechanisms for the reinstatement of lapsed applications or patents in Kuwait, making it essential for patent owners to pay their annuities on time.

For the year 2023, the KPO has granted an extension until April 30, 2023, for the payment of due annuities without a surcharge, as they started accepting annuity payments mid-January 2023.

With this new upgrade, patent owners can now process their annuity payments without the need to physically visit the KPO, making the process more convenient and efficient.

SAUDI ARABIA | LINKING THE DOTS: NAVIGATING THE PATENT LINKAGE SYSTEM

To ensure smooth patent linkage and prevent conflicts, pharmaceutical and biotech companies are encouraged to disclose any relevant Saudi and/or Gulf Cooperation Council (GCC) patents when applying for product registration with the regulatory authority. If a patent is granted post-registration, companies have a 30-day window to inform the regulatory authority for proper linkage. The linkage system primarily serves to safeguard the regulatory authority from approving potentially infringing products. Generic companies are expected to acquire a freedom-to-operate report, prepared, and signed by a qualified local IP attorney.

By way of background, Saudi Arabia has a patent linkage system in place to link the approval of generic drugs with the status of the corresponding patents on brand-name drugs. The Saudi Food and Drug Authority (SFDA) is responsible for regulating the pharmaceutical

market in the country and enforcing the patent linkage system.

A generic drug can only be registered and marketed in the country if the corresponding patent on the brand-name drug has expired or if the SFDA has determined that the patent is not valid or not infringed upon by the generic drug. This helps to protect the exclusivity period of the brand-name drug and prevent the approval of generic drugs that would infringe on the patents of the brand-name drug.

One of the main benefits of patent linkage is that it helps to provide a strong incentive for pharmaceutical companies to invest in research and development for new drugs. By protecting the exclusivity period of brand-name drugs, companies can recoup their investment in R&D and generate revenue from their patented drugs before generic competition enters the market.



LIBYA | TMO RESUMES OPERATIONS



On May 28, 2023, the Trademark Office (TMO) in Libya resumed its normal operations, bringing relief to businesses and individuals seeking intellectual property protection in Libya.

We would like to emphasize that since November 2022, the TMO had been functioning at a limited capacity, focusing solely on IP cases related to Libyan individuals and companies. During this period, all IP services for foreign applicants were temporarily put on hold.

LIBYA

For any inquiries or feedback, please do not hesitate to contact us at news@sabaip.com.

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