

# SABA INTELLECTUAL PROPERTY

# BULLETIN

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## QATAR

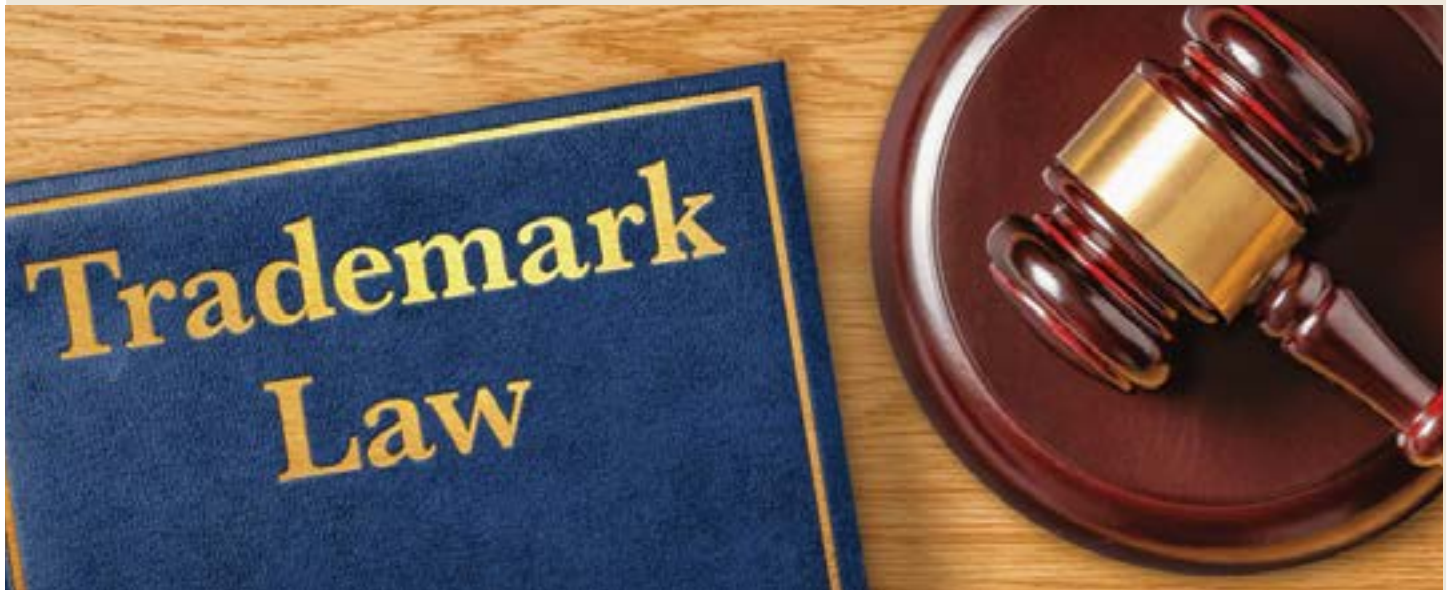
Unveiling the Dynamics of the Adoption  
of the GCC Trademark Law

GCCPO Expands Patent Filing Services:  
Advancing Regional Patent Harmonization

## SAUDI ARABIA

SAIP Approved as an International Search  
and Examination Authority

## QATAR | UNVEILING THE DYNAMICS OF THE ADOPTION OF THE GCC TRADEMARK LAW



**Qatar has officially adopted the Gulf Cooperation Council (GCC) Trademark Law on July 9, 2023, marking a significant milestone. This update, conveyed through Ministerial Decision No. 56 of 2023, has been published in the Official Gazette alongside the comprehensive Implementing Regulations, and will enter into force on August 10, 2023.**

Since the late '80s, the GCC states, namely Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates, have actively collaborated in intellectual property coordination. This fruitful collaboration led to the approval of the GCC Patent Regulations and the establishment of the GCC Patent Office in 1992, which commenced operations in 1998, ultimately granting its inaugural patent in 2002.

The GCC Trademark Law, in contrast to the

GCC Patent Law, operates as a unifying framework rather than a unitary law, which establishes a consistent set of provisions for the prosecution and enforcement of trademark rights across all GCC states. However, it does not introduce a unified registration system. Instead, each GCC country's Trademark Office will continue to serve as the receiving office, handling national trademark registrations. As a result, individuals or businesses seeking to register a trademark across the six GCC countries will still be required to submit separate national trademark applications for each jurisdiction.

With the adoption of the GCC Trademark Law by member states, the definition of a trademark has undergone a substantial expansion. Notably, Article 2 of the Law now encompasses color marks, sound marks, and smell marks as eligible trademarks, enabling the possibility of securing registrations for such distinctive marks across the entire GCC.

## **QATAR | UNVEILING THE DYNAMICS OF THE ADOPTION OF THE GCC TRADEMARK LAW**

Moreover, the examination process has been harmonized, streamlining the timeline. Applications are now scrutinized within 90 days from the submission date. Subsequently, the Trademark Office (TMO) promptly notifies the applicants of their decision. It is important to note that a 90-day period is provided for applicants to respond to any office actions following the notification-rejection decisions can be appealed before a grievances committee within 60 days following the notification; otherwise, the application may be considered abandoned.

Additional salient features of the GCC Trademark Law include the publication of accepted trademark applications for opposition purposes. Interested parties are granted a 60-day window from the publication date to file oppositions, ensuring a fair and transparent process. In contrast, the outgoing opposition period was four months.

Under the new law, trademark registrations remain valid for 10 years from the filing date and can be renewed for subsequent periods. Late renewals benefit from a grace period of six months, allowing for flexibility.

Furthermore, the GCC Trademark Law recognizes famous trademarks that have achieved widespread recognition across member states, even if they are not formally registered. This provision ensures the protection of renowned trademarks within the GCC.

Following the adoption of the GCC Trademark Law, it is important to note that there will be an increase in official fees for all trademark-related matters, effective from August 10, 2023.

The adoption of the GCC Trademark Law in Qatar marks a significant milestone in the realm of intellectual property rights, fostering harmonization, expanding trademark scope, and promoting a more efficient and robust system of protection.





## QATAR | GCCPO EXPANDS PATENT FILING SERVICES: ADVANCING REGIONAL PATENT HARMONIZATION

In a further move towards restoring its position as a regional patent office, the Gulf Cooperation Council Patent Office (GCCPO) has expanded its services to include Qatar, in addition to Bahrain and Kuwait. Applicants now have the option to designate BH, KW, and/or QA when filing a patent application with the GCCPO.

Once substantive examination is completed, the GCCPO will transfer the allowance to the designated national offices for publication, grant, and issuance. Despite each country's accession to the Patent Cooperation Treaty, applicants using the GCCPO route must file their applications with a 12-month period from the earliest claimed priority, as

stipulated by the GCC Patent Law.

Pursuant to the regulations, filing, substantive examination and the first two annuities (2nd and 3rd years) are made to the GCCPO, while the remaining annuities, publication and grant fees are to be paid at the respective national patent offices. The process will result in a national patent protected and enforced in that country under its national laws and regulations.

The extension of GCCPO's services to Qatar represents a significant step towards regional patent harmonization, facilitating for inventors and businesses in securing patent rights within the Gulf region.



## SAUDI ARABIA | SAIP APPROVED AS AN INTERNATIONAL SEARCH AND EXAMINATION AUTHORITY



Saudi Arabia has taken a significant step towards enhancing its position on the Global Innovation Index (GII) and supporting the country's Vision 2030. During the Assemblies of the Member States of WIPO: Sixty-Fourth Series of Meetings, held in Geneva in July 2023, the unanimous approval was granted for Saudi Intellectual Property Authority (SAIP) to become an International Search Authority (ISA) and International Preliminary Examination Authority (IPEA).

As the authority responsible for filing, examining, and issuing Saudi patents, SAIP may now be designated as the ISA and IPEA. This designation empowers SAIP to provide the first search and report opinion on the patentability of applications filed through PCT (Patent Cooperation Treaty) and designating SAIP for these roles. Notably, Saudi Arabia becomes the second international search and examination authority to support the Arabic language. Consequently, applicants filing PCT applications, particularly from Arabic-speaking countries, can designate SAIP as the ISA.

# SAUDI ARABIA

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For any inquiries or feedback, please do not hesitate to contact us at [news@sabaip.com](mailto:news@sabaip.com).

<https://www.sabaip.com/>



<https://www.sabaip.com/wp-content/uploads/2023/04/Saba-I-P-Directory-of-Offices-and-Registration-Requirements-2023-24.pdf>

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