

BULLETIN

October 2023



SAUDI ARABIA

SAIP and IPOS Fast-Tracking IP
with the Patent Prosecution Highway

MOROCCO

INPI and OMPIC Merging Lanes on the PPH
Road to Amplified Patent Protection

PAKISTAN

Key Takeaways from the Trademarks
(Amendment) Act of 2023

MENA

The Dynamic Nexus of
Technology Transfer and IP

SAUDI ARABIA | SAIP AND IPOS FAST-TRACKING IP WITH THE PATENT PROSECUTION HIGHWAY



In an exciting development that reinforces Saudi Arabia's dedication to the global intellectual property community, the Saudi Authority for Intellectual Property (SAIP) has freshly inked a Patent Prosecution Highway (PPH) agreement with the Intellectual Property Office of Singapore (IPOS). This strategic move is yet another testament to SAIP's unwavering commitment to fostering international partnerships and streamlining intellectual property procedures.

The recent PPH agreement with IPOS joins SAIP's growing list of international partnerships. Previously, SAIP solidified its global stance by signing similar agreements with esteemed bodies like the European Patent Office (EPO), United States Patent and Trademark Office (USPTO), Japan Patent Office (JPO), Korean Intellectual Property

Office (KIPO), and China National Intellectual Property Administration (CNIPA). Each of these agreements is tailored, with SAIP specifically focusing on International Patent Classifications (IPC) relating to physics, civil engineering, mechanics, and metals. This specialized approach ensures that Saudi Arabia becomes a hub for innovations in these domains.

Such strategic collaborations not only emphasize SAIP's intent to uphold international standards but also showcase its ambition to be a beacon for intellectual property rights in the Middle East and beyond. With the implementation of these PPH agreements, foreign patent applicants, especially from sectors like physics, civil engineering, mechanics, and metals, will find it more enticing to register their inventions in Saudi Arabia.

SAUDI ARABIA | SAIP AND IPOS FAST-TRACKING IP WITH THE PATENT PROSECUTION HIGHWAY

SAUDI
ARABIA

The benefits of the PPH are multifold:

1. **Accelerated Examination:** PPH allows for swift processing, reducing the waiting period for inventors
2. **Consistency and Quality:** With standardized procedures in place, there is a higher guarantee of consistent outcomes.
3. **Cost-effective:** By potentially reducing the need for repetitive processes, applicants might find patent registration more feasible.
4. **Promotion of Innovation:** The streamlined process will undoubtedly attract more inventors, promoting a culture of innovation and technological advancements.

SAIP's proactive steps in the intellectual property arena are creating ripples globally. Their relentless drive to forge partnerships, modernize processes, and emphasize the importance of IP rights is commendable. As SAIP continues its journey, we anticipate witnessing further developments that consolidate Saudi Arabia's position on the global IP map.

MOROCCO | INPI AND OMPIC MERGING LANES ON THE PPH ROAD TO AMPLIFIED PATENT PROTECTION

The international patent landscape has seen a recent significant development as the Moroccan Office of Industrial and Commercial Property (OMPIC) joined hands with France's National Institute of Industrial Property (INPI). On September 5, 2023, the entities established a Patent Prosecution Highway (PPH) agreement. This collaboration, while being the inaugural partnership between an African nation and INPI, represents a broader vision of cooperative progress.

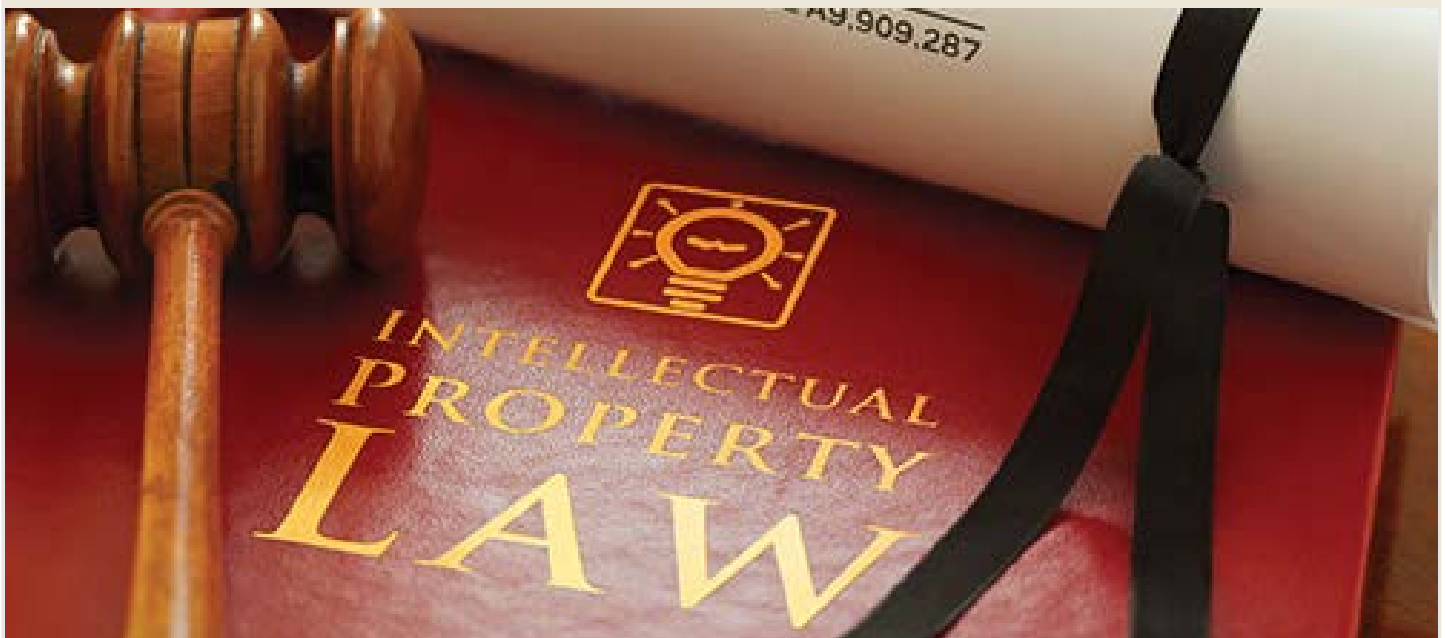
Understanding the steady stream of applications from French entities at OMPIC, the decision to collaborate appears strategic. OMPIC and INPI are collectively working towards enhancing patent procedures in Morocco. This signifies Morocco's dedication to fostering innovation, encouraging foreign investments, and providing a robust

mechanism for businesses to protect their intellectual assets.

Anticipating Changes Post-October 1, 2023

With the dawn of October, the agreement introduces a refined patent grant process in Morocco. French applicants, under specific criteria, can access an expedited channel for their second patent application with OMPIC. This could be a national submission or a request via the Patent Cooperation Treaty (PCT), provided their claims resonate with those previously greenlit by INPI.

The PPH accord with INPI is the latest feather in OMPIC's cap, aligning with its global strategy of PPH collaborations. Previous engagements span across various patent offices, including the United States Patent and Trademark Office (USPTO), the Japan Patent Office (JPO), and the Spanish Patent and Trademark Office (OEPM).



SAUDI ARABIA . MOROCCO . PAKISTAN . MENA

MOROCCO | INPI AND OMPIC MERGING LANES ON THE PPH ROAD TO AMPLIFIED PATENT PROTECTION



Mapping the Way Forward for INPI and OMPIC

The economic implications of this PPH agreement are poised to be substantial. Quicker patent approvals can equip businesses with an edge, enhancing their presence within Morocco and potentially on an international scale. This partnership is anticipated to invigorate innovation and foster heightened commitment to research and development activities in Morocco.

The recent collaboration between INPI and OMPIC is not just a testament to the evolving

international patent landscape but also to the shared ambition of these entities to strengthen intellectual property rights and drive innovation forward.

It serves as a reminder that proactive partnerships, strategic planning, and mutual respect can pave the way for significant advancements in any field. As the ramifications of this partnership unfold, one thing is clear: Morocco is cementing its position as a hub for innovation and patent protection in Africa and beyond.

PAKISTAN | KEY TAKEAWAYS FROM THE TRADEMARKS (AMENDMENT) ACT OF 2023



The Trademarks (Amendment) Act, enacted in 2023, has brought sweeping changes to trademark practices in Pakistan. These amendments not only reorganize administrative control but also introduce specialized tribunals, extend legal coverage to electronic communications, and offer global reach for trademark registrations. This landmark legislation stands to significantly improve the Intellectual Property landscape in Pakistan, encouraging innovation, fortifying brand protection, and enhancing dispute resolution processes.

Admin Control under IPO Pakistan

Previously, the Trademarks Registry operated as a semi-autonomous entity. Under the new amendment, it has been brought under the administration of Intellectual Property Organization of Pakistan (IPO Pakistan). This consolidation aims to bring about operational efficiencies, streamlined processes, and robust governance. Bringing the Trademarks Registry under IPO Pakistan fosters a unified approach to IP administration, potentially reducing delays and making the system more accountable.

IP Tribunal for Specialized Dispute Resolution

Legal disputes over trademarks often involve intricate issues that can be better understood and adjudicated by specialized legal professionals. To this end, the amendment introduces specialized Intellectual Property Tribunals, solely dedicated to handling trademark cases. These tribunals will expedite the resolution of disputes, providing both local and international businesses greater assurance and confidence in Pakistan's IP regime.

E-Comm Protection: A Digital Leap Forward

In a nod to the burgeoning digital economy, the new act includes provisions for legal coverage of electronic communications. This is a significant step forward in adapting Pakistan's IP laws to the modern digital age, facilitating brand protection in online platforms. Now, e-commerce businesses and digital enterprises can operate with the assurance that their electronic communications, including brand marks used online, are legally protected.

PAKISTAN | KEY TAKEAWAYS FROM THE TRADEMARKS (AMENDMENT) ACT OF 2023



PAKISTAN

Global Reach via the Madrid System

Perhaps one of the most groundbreaking changes is the provision allowing for international applications via the Madrid System. This enables businesses in Pakistan to protect their trademarks in multiple countries by filing a single application. Not only does this simplify the registration process, but it also expands the global reach of Pakistani businesses. Brands can now secure their intellectual property rights across borders, opening new avenues for global expansion and competitiveness.

Conclusion

The Trademarks (Amendment) Act of 2023 is a milestone in Pakistan's intellectual property landscape. By focusing on operational efficiency, specialized dispute resolution, digital adaptability, and international reach, the act is primed to make Pakistan a more attractive destination for innovation and business growth. For companies and legal practitioners involved in intellectual property, these changes offer a modern, efficient, and globally connected system that augments brand protection and enhances the potential for innovation. This new act marks an optimistic beginning for Pakistan in aligning its intellectual property laws with international best practices, thereby paving the way for a more secure and dynamic business environment.

MENA | THE DYNAMIC NEXUS OF TECHNOLOGY TRANSFER AND IP

In the ever-evolving landscape of technological advancements, the seamless transfer of innovative ideas and cutting-edge technologies is crucial for accelerating progress and fostering global development. Technology transfer, the process of sharing and disseminating knowledge, intellectual property, and technical expertise, plays a pivotal role in bridging the gap between research and practical applications.

One essential aspect of safeguarding these intellectual creations is the realm of patents, which provide legal protection and incentives for inventors to disclose their breakthroughs to the world. Against this backdrop, the Middle East and North Africa (MENA) region offers a unique blend of rich history and rapid modernization. With nations like Qatar, Saudi Arabia, and the United Arab Emirates (UAE) positioning themselves as global leaders in technological innovation, the concepts of technology transfer and intellectual property have taken center stage. As the region intensifies efforts to diversify its economies, champion sustainable development, and weave into the global technological fabric, grasping

the dynamic interplay between the dissemination of technology and the protection of intellectual creations becomes paramount.

In this article, we delve into the fascinating world of technology transfer and patents, exploring their interplay and the ways they drive modern innovation, including other forms of intellectual property and the significance of a well-designed IP strategy in technology transfer.

Technological Advancements and Knowledge Exchange in the MENA

The MENA region is rapidly emerging as a hotspot for technological advancement and innovation. Countries like the UAE, with its Smart Dubai initiative, and Saudi Arabia, with its Vision 2030, are testament to the region's commitment to leveraging technology for a sustainable future. These national blueprints underline the importance of technology transfer to import cutting-edge solutions while also nurturing home-grown innovations. It is a symbiotic relationship where foreign expertise meets regional potential, creating a hub of technological excellence.

MENA | THE DYNAMIC NEXUS OF TECHNOLOGY TRANSFER AND IP

One of the defining characteristics of the MENA region's technological surge is its propensity for collaboration. Universities in countries like Qatar and Jordan are partnering with international institutions, promoting a rich exchange of knowledge and expertise. Such collaborations are central to effective technology transfer, enabling the region to tap into global innovation networks, while simultaneously showcasing local advancements to the world.

The Power of Technology Transfer

Technology transfer is a conduit through which groundbreaking ideas transcend the confines of research laboratories, universities, and industries to reach a broader spectrum of society. It encompasses a variety of mechanisms, such as licensing agreements, joint ventures, and collaborations, aimed at fostering the exchange of knowledge and know-how. The primary goal of technology transfer is to translate theoretical knowledge into real-world applications, igniting a chain reaction of advancements that benefit economies, industries, and ultimately, the lives of people.

One of the most significant advantages of technology transfer lies in its potential to catalyze economic growth. By commercializing intellectual property and converting scientific breakthroughs into marketable products and services, technology transfer stimulates new businesses, industries, and job opportunities, thus driving regional and national prosperity.

Moreover, technology transfer fosters global

collaboration and cooperation. In an increasingly interconnected world, the sharing of knowledge and expertise across borders has become more accessible, enabling countries to pool their resources and accelerate technological progress collectively. From combating climate change to tackling infectious diseases, technology transfer facilitates the pooling of global talent to address pressing challenges facing humanity.

However, technology transfer is not without its challenges. Striking a balance between openness and protecting intellectual property rights can be a delicate dance. Inventors and organizations must find the right incentives to share their discoveries while safeguarding their investments in research and development. This brings us to the crucial role patents play in this ecosystem.

The Pillars of Patent Protection

Patents, at their core, are exclusive rights granted to inventors for their novel inventions or discoveries. By offering a limited monopoly, patents provide inventors with the opportunity to recoup their investments, encouraging them to disclose their findings to society instead of keeping them hidden as trade secrets.

The process of obtaining a patent is rigorous, requiring a detailed and clear description of the invention, its applicability, and its uniqueness compared to existing solutions. Once granted, a patent confers the right to prevent others from making, using, selling, or importing the patented invention for a limited period, typically 20 years from the filing date.

MENA | THE DYNAMIC NEXUS OF TECHNOLOGY TRANSFER AND IP

Second, patents foster a culture of openness and knowledge sharing. By publicly disclosing the details of their inventions, patent holders contribute to the wealth of human knowledge, enabling further innovation and building upon existing technologies. Consequently, a virtuous cycle of innovation is established, as new patents build upon previous ones, accelerating the pace of progress.

Other Types of Intellectual Property Protection

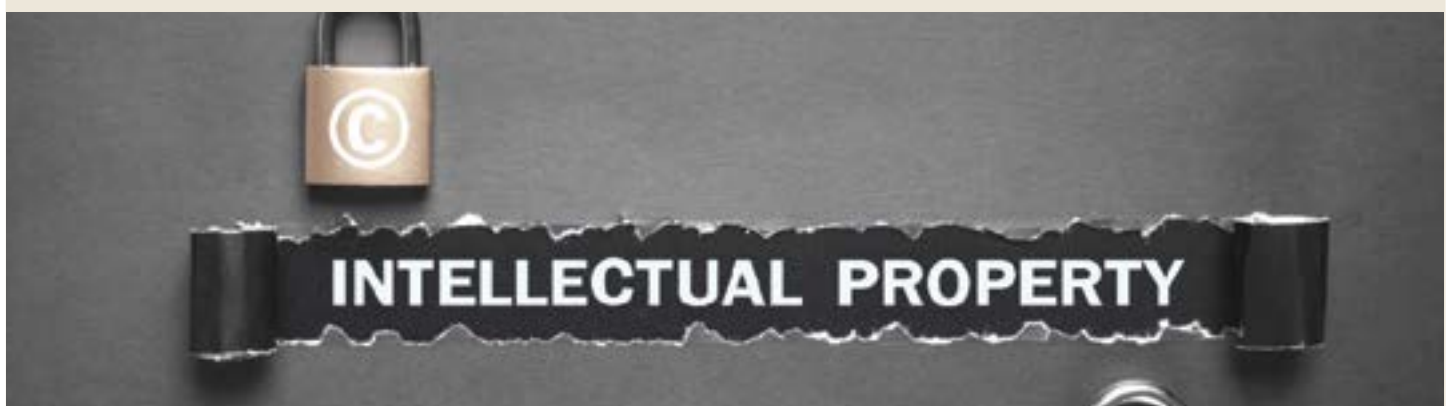
In addition to patents, there are other forms of IP protection that play a significant role in the technology transfer landscape:

- **Copyright:** Copyright protects original works of authorship, such as literary, artistic, musical, and software creations. In the context of technology transfer, software copyrights are particularly crucial for protecting software code, algorithms, and interfaces. Copyright protection ensures that software developers and creators have control over the distribution, reproduction, and modification of their works,

incentivizing them to produce innovative software solutions.

- **Trademarks:** Trademarks are distinctive signs, logos, or symbols that identify and distinguish goods or services from one another. In the realm of technology transfer, trademarks are vital for branding and marketing technological products and services. Strong trademark protection helps build brand recognition and consumer trust, leading to increased market competitiveness and better commercialization prospects.

- **Trade Secrets:** Trade secrets encompass confidential and proprietary business information that provides a competitive advantage to its owner. In the technology sector, trade secrets may include valuable manufacturing processes, algorithms, formulas, or customer data. Unlike patents, trade secrets offer indefinite protection as long as they remain secret. Companies involved in technology transfer must implement robust measures to safeguard their trade secrets during collaborations or licensing agreements.



MENA | THE DYNAMIC NEXUS OF TECHNOLOGY TRANSFER AND IP***The Intersection of Technology Transfer and Patents***

The dynamic interplay between technology transfer and patents creates a harmonious synergy that drives innovation forward. Technology transfer initiatives, often facilitated by universities, research institutions, and technology transfer offices, act as conduits to link inventors with potential licensees or collaborators.

Through licensing agreements, patent holders can share their technology with established companies or startups that possess the necessary resources and expertise to bring the inventions to the market. This collaboration not only ensures the commercialization of ideas but also provides inventors with financial rewards through royalties or equity stakes.

Universities and research institutions also play a crucial role in this ecosystem by fostering an environment that encourages innovation and entrepreneurship. By licensing their intellectual property to industry partners or spinning off startups, these institutions create a pipeline for knowledge to flow into the market, generating economic value and societal impact.

Furthermore, technology transfer initiatives often transcend national boundaries, creating global partnerships that foster international cooperation in research and development. This cross-pollination of ideas and expertise leads to the rapid dissemination of knowledge and the emergence of solutions to global challenges.

MENA | THE DYNAMIC NEXUS OF TECHNOLOGY TRANSFER AND IP***Technology Transfer Challenges in MENA***

The MENA region, while recognized for its rapid development and forward-thinking initiatives, confronts multifaceted challenges when it comes to technology transfer. The diversity of the MENA region is mirrored in its varied regulatory environments. Each country has its own set of rules, guidelines, and standards related to technology and intellectual property. Navigating these multiple regulatory waters can be daunting for both domestic innovators aiming to expand their reach and international entities trying to establish a foothold in the region. Differences in intellectual property protection laws, business setup procedures, and even cultural approaches to business negotiations can present steep learning curves.

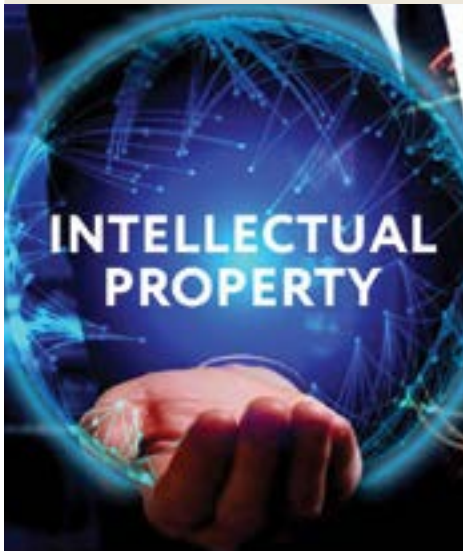
While nations in the Gulf Cooperation Council (GCC) are at the forefront of tech innovation, others are still laying the groundwork for a more tech-driven future. This disparity means that technology

transfer is not just about introducing new technologies but often involves building foundational tech infrastructure from the ground up in certain areas. Furthermore, the readiness of the local workforce, technological infrastructure, and even public receptiveness to new technologies can vary widely.

However, it is essential to view these challenges not merely as obstacles but as testament to the resilience and ambition of the MENA region. The very existence of these hurdles has birthed innovative solutions and workarounds. For instance, regional cooperation initiatives, such as collaborative research hubs, shared innovation spaces, and cross-border academic programs, are bridging divides. Investments in education are equipping the next generation with the skills needed to compete on a global stage. Infrastructure projects are laying the digital and physical groundwork for a future where technology is seamlessly integrated into everyday life.



MENA | THE DYNAMIC NEXUS OF TECHNOLOGY TRANSFER AND IP

***The Nexus of Advancement***

In the ever-changing landscape of technology, the interplay between technology transfer and patents serves as a catalyst for innovation and societal progress. By facilitating the exchange of knowledge and protecting the rights of inventors, this dynamic duo unleashes the full potential of human ingenuity. In essence, the MENA region is a testament to the spirit of determination. Despite the challenges, or perhaps because of them, it is carving out a niche for itself as a global technological contender, continuously adapting, evolving, and surging forward.

The continuous flow of ideas from the laboratories to the market fuels economic growth, drives regional and national prosperity, and addresses global challenges. As we march into the future, nurturing this nexus of technology transfer and patents will remain pivotal in shaping a world that thrives on innovation, inclusivity, and sustainability.

MENA

THE SABA NETWORK

Head Office

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
headoffice@sabaip.com

Algeria

Cabinet Boukrami
(In cooperation with Saba & Co. IP)
Centre Commercial et d'Affaires EL Qods
10th floor, BU 10-04 B, Cheraga 16002
Algiers, Algeria
T. +213 21 34 11 61
P.O. Box 86 Centre Commercial et d'Affaires
EL Qods, Cheraga 16002
info@boukrami.com

Bahrain

Bahrain Tower, Al-Khalifa Road
Manama, Bahrain
T. +973 17 210 301
P.O. Box 21013
bahrain@sabaip.com

Cyprus

Mitsis Building #2
14, Makarios Avenue
1065 Nicosia, Cyprus
T. +357 22 755 434
P.O. Box 21143
1502 Nicosia
cyprus@sabaip.com

Djibouti

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
djibouti@sabaip.com

Egypt

10 Aisha El Taymouriah Street
Garden City, CP 11451
Cairo, Egypt
T. +20 2 279 59686
P.O. Box 129, Mohamed Farid
info@sabaip-eg.com

Ethiopia

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
ethiopia@sabaip.com

Gaza

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
gaza@sabaip.com

Iraq

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
iraq@sabaip.com

Jordan

56 Prince Shaker Bin Zaid Street
Al Shmeisani
Amman, Jordan
T. +962 6 464 2145
P.O. Box 840553, Amman 11184
jordan@sabaip.com

Kuwait

Jassim Ahmed Alfahed
(In cooperation with Saba & Co. IP)
Al Hajri Building,
Al-Shuhadaa Street Kuwait, Kuwait
T. +965 2 242 3428
P.O. Box 1245, 13013 Safat
kuwait@sabaip.com

Lebanon

Saba House,
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 840
P.O. Box 11-9420
lebanon@sabaip.com

Libya

Saba House,
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
libya@sabaip.com

Morocco

185 Boulevard Zerktoni
Residence Zerktoni
Casablanca 20330
Casablanca, Morocco
T. +212 522 251 530
P.O. Box 13 921
Casablanca 20032
morocco@sabaip.com

Oman

Muscat International Centre
Beit Al Falaj Street
Muscat, Oman
T. +968 248 111 26
P.O. Box 2027 Ruwi
Postal Code 112, Sultanate of Oman
oman@sabaip.com

Qatar

Unit 1, 14th Floor
Shoumoukh Tower A, Building 58
Street No. 231, Zone 23 Bin Mahmoud,
Doha, Qatar
T. +974 4442 3992
P.O. Box 14035
qatar@sabaip.com

Saudi Arabia

Saba Arabia Limited Co. S.P.C.
Office 1, 2nd Floor
Tower B, Olaya Towers,
Olaya Street, Riyadh 12213
Saudi Arabia
T. +966 11 4 80 80 81
saudi@sabaip.com

Sudan

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
sudan@sabaip.com

Tunisia

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
tunisia@sabaip.com

United Arab Emirates

Tamani Arts Tower - 18th Floor
Al Asayel Street, Business Bay
Dubai, UAE
T. +971 4 553 9911
P.O. Box 42259
uae@sabaip.com

West Bank

Saba House
Saïd Freiha Street, Hazmieh
Beirut, Lebanon
T. +961 5 454 888
P.O. Box 11-9421
westbank@sabaip.com

Yemen

Hadda Towers, Building #7
Hadda Street
Sana'a, Yemen
T. +967 1 420 595
P.O. Box 1493
yemen@sabaip.com