

***In this Issue:***

**KSA**

*Preparing for PCT Filings*

**Kuwait**

*Claiming Priority Now Possible*

**Bahrain**

*Cybercrime Crackdown  
Putting a Lid on Commercial Fraud*

**Jordan**

*Trademark Protection Not Lost in  
Translation*

**OAPI**

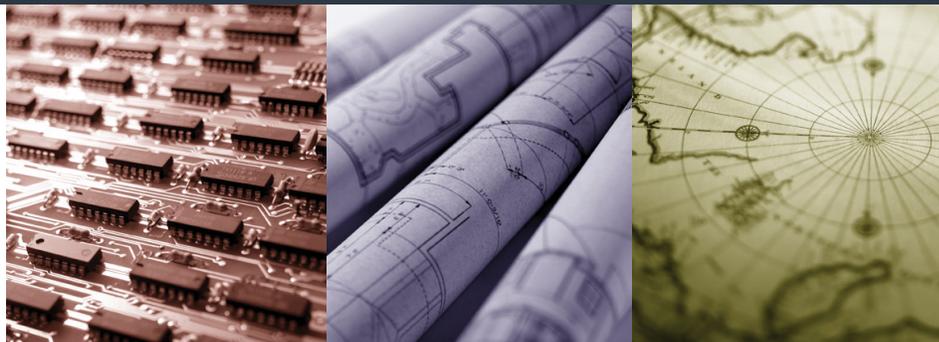
*Accession to the Madrid Protocol*



**January 2015**

**Issue 1**

**A Review of Intellectual  
Property-Related News and  
Developments in the Middle  
East and North Africa**



## **KSA:** *Preparing for PCT Filings*

The Saudi Patent Office began acting as a Patent Cooperation Treaty Receiving Office as of January 1, 2015.

International applications may be filed at the SPO using WIPO's ePCT system. Upon filing, applicants may choose the Egyptian Patent Office, among others, as the competent International Searching Authority and International Preliminary Examining Authority.

The SPO is also expected to receive PCT national stage entries as of February 3, 2015. There has yet to be an announcement detailing requirements, fees, and the annuity due date. We will monitor the situation closely and provide you with any updates.



## **Kuwait:** *Claiming Priority Now Possible*

The Kuwaiti Trademark Office announced that it will be accepting new trademark applications with priority claims. Required documents will now include a certified copy of the priority document duly legalized up to the Kuwaiti consulate. This document may be submitted within 3 months from filing date. A more detailed account on the trademark filing requirements

can be found on our Kuwait page.

This update comes in light of Kuwait's accession to the Paris Convention earlier this year that entered into force on December 2, 2014. With Kuwait's accession, all the Gulf Cooperation Council member countries have now acceded to the Convention.



## **Bahrain:** *Cybercrime Crackdown*



Bahrain issued Law no. 60 of 2014 in an effort to combat cybercrime and set punishments for offences committed on the Internet.

The law describes the penalties on violations all cybercrimes committed, such as gaining unauthorized access to a computer system or network, eavesdropping over private transmissions, or presenting forged data as true.

This move comes as an addition to the already established GCC cybercrime law, which was issued last year.

---

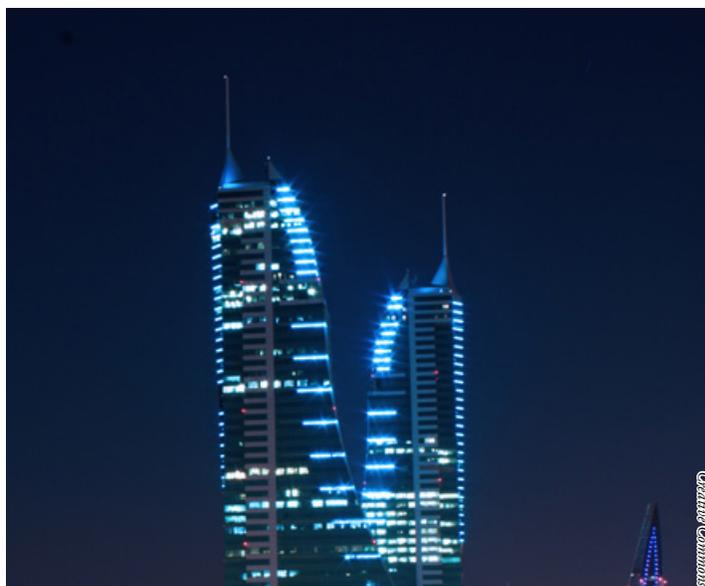
## **Bahrain:** *Putting a Lid on Commercial Fraud*

Bahrain issued the Anti-Commercial Fraud Law no. 62 of 2014 in an effort to protect consumers and regulate the market. The law defines commercial fraud as the use and sale of a fraudulent commodity which has been altered or manipulated in order to cause deception.

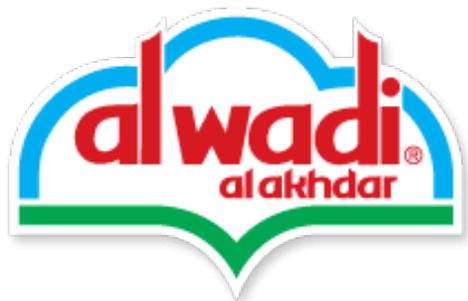
The law specifies penalties that will result in imprisonment up to the max of a ten year jail term and a fine of up to 10,000 dinars (US

\$26,516) for any commercial fraud that causes permanent disability. The law also stipulates life imprisonment and a fine of up to 20,000 dinars (US \$53,032) if the fraud causes death.

The new law offers a positive enhancement of the existing enforcement framework in Bahrain and is expected to increase the effectiveness of enforcement mechanisms through the use of deterrent penalties.



## Jordan: Trademark Protection Not Lost in Translation



Plaintiff's Mark



Defendant's Mark

The Jordanian Trademark Office recently acknowledged the fame status of ALWADI AL-AKHDAR, after a local manufacturer applied for the registration of GREEN VALLEY as a trademark in class 29. Upon publication of the mark in the official gazette, Al Wadi Al Akhdar SAL opposed on the basis that the word mark represents an English translation their trademark. In order to demonstrate their brand's

fame, Al Wadi Al Akhdar SAL provided evidence of use and registration of the trademark in Lebanon, Syria, Saudi Arabia, United Arab Emirates, Qatar, Yemen and Jordan, where the mark was registered as early as 1985 in classes 29, 30 and 32. The company provided further confirmation of extensive sales and marketing for its ALWADI AL-AKHDAR products in the region to establish recognition within the relevant

segment of the consumers. The TMO found the evidence presented by Al Wadi Al Akhdar SAL compelling to establish that ALWADI AL-AKHDAR has indeed acquired fame and recognition and therefore qualifies for the special protection provided by article 12/8 of the trademarks. The law prohibits the registration of any trademark that represents an imitation and/or translation and/or transliteration of a famous trade-

mark. The verdict stipulates that products under the trade name GREEN VALLEY may confuse and mislead consumers into thinking that the two trademarks are related or belong to the same commercial source which will undoubtedly cause damage and create a situation of unfair competition, leading to the cancellation of the registration of GREEN VALLEY.

## OAPI: Accession to the Madrid Protocol



The African Intellectual Property Organization (OAPI) became the 93rd member to join the Madrid Protocol.

OAPI, short for *Organisation Africaine de la Propriété Intellectuelle*, is composed of 17 member states which include Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, the Republic of Congo, Côte d'Ivoire, Gabon, Guinea, Equatorial Guinea, Mali, Mauritania, Niger, Guinea Bissau, Senegal and Togo. OAPI's headquarters are located in Cameroon.

The Madrid Protocol will enter into force in OAPI countries on March 5, 2015.

# The Saba Network

---

## ● Head Office

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: headoffice@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon

## ● Jordan

Tel: +962 6 464 2145  
Fax: +962 6 464 2159  
E-Mail: jordan@sabaip.com  
P.O. Box: 840553, Amman 11184

## ● Saudi Arabia Al Hadaf Marks Services LLC (In cooperation with Saba & Co. IP)

Tel: +966 11 2079596  
Fax: +966 11 2079598  
E-Mail: saudi@sabaip.com  
P.O. Box: 61145, Riyadh 11565, Saudi Arabia

## ● Algeria (Cabinet Boukrami)

(In cooperation with Saba & Co. IP)

Tel: +213 21 341 161  
Fax: +213 21 341 162  
E-Mail: algeria@sabaip.com  
P.O. Box: 86 Algiers, Algeria

## ● Kuwait

Tel: +965 2 242 3428  
Fax: +965 2 240 2243  
E-Mail: kuwait@sabaip.com  
P.O. Box: 1245, 13013 Safat

## ● Sudan

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: sudan@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Bahrain

Tel: +973 17 210 301  
Fax: +973 17 224 699  
E-Mail: bahrain@sabaip.com  
P.O. Box: 21013, Manama

## ● Lebanon

Tel: +961 5 454 840  
Fax: +961 5 454 842  
E-Mail: lebanon@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Syria

Tel: +963 11 223 6628  
Fax: +963 11 222 6280  
E-Mail: syria@sabaip.com  
P.O. Box: 460, Damascus

## ● Cyprus

Tel: +357 22 755 434  
Fax: +357 22 754 037  
E-Mail: cyprus@sabaip.com  
P.O. Box: 21143, 1502 Nicosia

## ● Libya

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: libya@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Tunisia

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: tunisia@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Egypt

Tel: +20 2 2795 9686  
Fax: +20 2 2795 2314  
E-Mail: info@sabaip-eg.com  
P.O. Box: 129, Mohamed Farid, Cairo

## ● Morocco

Tel: +212 52 2251530  
Fax: +212 52 2251603  
E-Mail: morocco@sabaip.com  
P.O. Box: 13 921, Casablanca

## ● United Arab Emirates

Tel: +971 4 295 9650  
Fax: +971 4 295 9651  
E-Mail: uae@sabaip.com  
P.O. Box: 42259, Dubai

## ● Gaza

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: gaza@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Oman

Tel: +968 24 811 126  
Fax: +968 24 811 128  
E-Mail: oman@sabaip.com  
P.O. Box: 2027, Ruwi,  
Postal Code 112 Muscat

## ● West Bank

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: westbank@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Iraq

Tel: +961 5 454 888  
Fax: +961 5 454 844  
E-Mail: iraq@sabaip.com  
P.O. Box: 11-9421 Beirut, Lebanon\*

## ● Qatar

Tel: +974 44 423 992  
Fax: +974 44 324 106  
E-Mail: qatar@sabaip.com  
P.O. Box: 14035, Doha

## ● Yemen

Tel: +967 1 420 595  
Fax: +967 1 420 596  
E-Mail: yemen@sabaip.com  
P.O. Box: 1493, Sana'a

\*All mail should be dispatched to the Head Office address in Lebanon for proper channeling.

The information contained in this publication intends to provide updates on Intellectual Property news and should not be relied upon as legal advice. Legal or other professional advice should be sought out from the firm's Head Office in Beirut, Lebanon.

©2014 Saba & Co. IP - No article or image in this publication or part thereof may be reproduced without permission. Saba IP Bulletin is a publication of Saba & Co. IP.

[www.sabaip.com](http://www.sabaip.com)