

## NEWS:

## Ethiopia - New Law Comes Into Effect

The long-awaited regulations implementing the Ethiopian Trademark Law of 2006 were published on December 24, 2012. Significant work is underway to establish the official requirements and steps. The list below is related to the procedure that is expected to be adopted in Ethiopia following the introduction of the regulations.

1. New trademark applications must be submitted by no later than June 24, 2014 for all marks filed in the country before July 7, 2006. These new applications will not be registered automatically but will be subject to examination on absolute and relative grounds.

2. Pending applications filed between July 7, 2006 and December 24, 2012 will be examined in accordance with the provisions of the new Trademark Law.

3. Trademark applications filed after July 7, 2006 which have already matured into registration will be receiving new registration certificates. Requests should be submitted at the Trademark Office for this purpose.

In terms of the present practice, the trademark owner was required to obtain permission from the Ethiopian Intellectual Property Office (EIPO) to publish cautionary notices in the local newspapers. Once permission was obtained and the cautionary notices were published, a Trademark Deposit Certificate bearing the official number and the protection term was issued.

**Protection Scope:** Any trademark capable of being represented graphically and consisting of a letter, word, numeral, design or three-dimensional shape may be registered, provided that it is distinctive.

**Priority Claim:** Claim of priority, based upon an earlier-filed foreign application, is possible. The priority of countries adopting the Paris Convention will be recognised.

**Classification:** The 8th Edition of the Nice International Classification of Goods and Services for the purpose of the registration of trademarks is followed.

**Type of Application:** A single application may include several classes.

**Opposition:** Trademark applications accepted by the EIPO will be published in the Intellectual Property Gazette (or in any other newspaper having countrywide circulation) for opposition purposes.

**Publication after Registration:** The EIPO shall also notify the completed registration of a trademark in the Intellectual Property Gazette (or in any other newspaper having countrywide circulation).

**Protection Term:** Trademark registrations are valid for seven years from filing date and are renewable for like periods. There is a grace period of six months for late renewals with payment of a surcharge.

**Use Requirement:** Use of a trademark is not required for registration or renewal of a mark. However, a trademark is vulnerable to cancellation by any interested party if there has been no effective use of the mark for a period of three consecutive years preceding the date of filing for cancellation.

**Border Measures:** As a new border measure, the holder of a trademark right shall be entitled to request the Customs authorities to seize imports of goods with infringing trademarks. Customs will have the authority to seize suspected goods and give the parties concerned ten days to bring a lawsuit.

Should you have any question, or require any additional information, please contact us at [bulletin@sabaip.com](mailto:bulletin@sabaip.com).



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# UAE - 10th Edition Adopted

The UAE Trademark Office has recently shifted its trademark classification system from the 9th edition to the 10th edition of the Nice International Classification for Goods and Services, which entered into force on January 1, 2012 and applies to new applications only.

Following these changes, the country classification in our region is now as follows:

Country	Nice Edition Adopted
Algeria	10th
Bahrain	10th
Cyprus	10th
Egypt	10th
Gaza	8th
Iraq	7th with local sub-classification
Jordan	10th
Kuwait	8th; Class 33, alcoholic goods in class 32 and pork meat in class 29 can not be registered
Lebanon	10th
Libya	8th; Class 33, alcoholic goods in class 32, as well as Christmas trees and related products in class 28 can not be registered
Morocco	10th
Oman	10th
Qatar	7th; Class 33, alcoholic goods in class 32 and pork meat in class 29 can not be registered.
Saudi Arabia	10th; Class 33, alcoholic goods in class 32, pork meat in class 29 and Christmas trees and related products in class 28 can not be registered.
Sudan	8th; Class 33 and alcoholic goods in class 32 can not be registered.
Syria	10th
Tunisia	10th
United Arab Emirates	10th; Class 33 and alcoholic goods in class 32 can not be registered.
West Bank	8th
Yemen	8th; Class 33 and alcoholic goods in class 32 can not be registered.

## Jordan - Renewal Applications on Hold

Renewal applications will be placed on hold at the Jordanian Trademark Office for one month starting February 20, 2013. The renewal requests will stay on file, but will not be actively processed at this time. This procedure comes in an attempt to clear the huge backlog of work at the Trademark Office. The Office plans to have the build-up of work immediately taken care of. It goes without saying that applications for marks that fall due for renewal during this period will still be renewed on time.

Should you have any questions, or require any additional information, please do not hesitate to contact us at [bulletin@sabaip.com](mailto:bulletin@sabaip.com).



## Yemen - E-Filing Introduced

The Yemeni Ministry of Industry and Trade has recently launched a new system to file trademark applications electronically on the following website: [www.yipo.gov.ye](http://www.yipo.gov.ye).

This new system allows applicants to complete an electronic application form along with the requirements, check and review it for accuracy and precision and then submit it directly over the internet to the Intellectual Property Office. Original copies of the required documents should still be submitted before the Trademark Office.

Should you have any questions, or require any additional information, please do not hesitate to contact us at [bulletin@sabaip.com](mailto:bulletin@sabaip.com)



## West Bank - License Agreement Recordal

It is now possible according to the new practice of the Trademark Office to record a license agreement in West Bank. This has been recently put into force and no regulations in the law regarding the matter have been implemented yet. The requirements to record a license agreement are as follows:

- Copy of the license agreement, legalized.
- Power of Attorney, legalized, to be executed by the licensor.

Should you have any questions, or require any additional information, please do not hesitate to contact us at **bulletin@sabaip.com**.



## Azerbaijan - Customs Recordal Available

The recordal of trademarks by rights owners is now possible at the Customs of Azerbaijan, in accordance with the newly released border regulations. After completing the recordal, the trademark will be placed on watch and products bearing this trademark or a similar mark will be monitored and inspected ex-officio. Products suspected of being counterfeit will be suspended and the rights owner as well as the importer will be immediately notified. Recordation is valid for five years, renewable for like periods.

The documents required in support of the recordation are as follows:

- 1- Power of attorney
- 2- Certified copy of the registration certificate of the trademark to be recorded
- 3- Request form
- 4- An electronic presentation of the original product to aid the Customs officials in detecting counterfeit products and differentiating them from the originals.

Should you have any questions, or require any additional information, please contact us at **bulletin@sabaip.com**.



## Egypt - From Sunrise to Landrush

Following the ICANN's decision to allow Internationalized Domain Names in non-Latin Script, the Egyptian Ministry of Communication and Information Technology has recently announced that the Landrush phase for registering a domain name in Arabic under (.miser) has started.

The Sunrise phase ended on August 22, 2010. That phase was open only to Governmental Institutions, State Universities, Educational Centers and individuals or companies with local presence in Egypt.

The Landrush phase was launched on January 9, 2013. This phase will increase the appeal of the internet and help businesses reach a wider local audience.

It enables any interested party and entity to register domain names of high commercial value, provided that they comply with the rules and regulations.

Should you have any specific inquiries regarding the subject matter, please contact us at [bulletin@sabaip.com](mailto:bulletin@sabaip.com).



## Saudi Arabia - Limiting the Bolar Provision

The Saudi Food and Drug Authority (SFDA) will no longer allow for generic drug companies to file for a marketing authorization (MA) before the last 24 months of the relevant patent protection term. Furthermore, the SFDA will not approve any generic drug MA unless the patent protection period has expired. It is incumbent upon the first applicant for a generic drug to provide a letter from the Saudi Patent Office as well as the GCC Patent Office stating whether or not a patent has been granted for the innovator product as well as the expiration term in case a patent exists.

The above portrays the SFDA's commitment to conform to the regulations of Saudi Arabia, ensure better protection for patents in the country and monitor the acceptance procedure of the generic products that follow.

GENERIC

## ● 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 1 207 9596  
**Fax:** +966 1 207 9598  
**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:** 11-9420, Beirut

## ● 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 newsletter is intended to provide a brief update of intellectual property news and should not be relied upon as legal advice. Legal or other professional counseling should be sought from the firm's Head Office in Beirut, Lebanon.

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