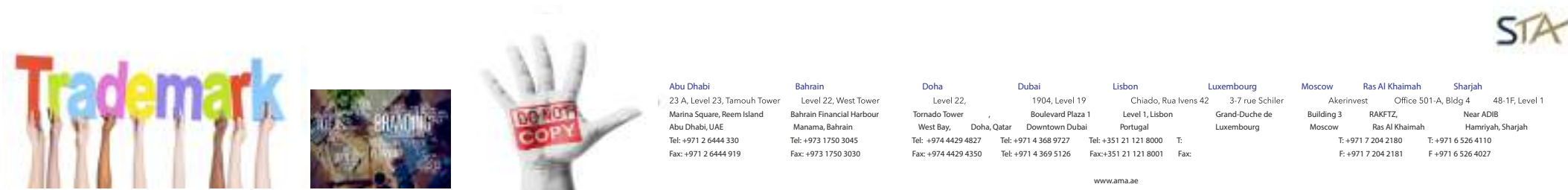


## TRADEMARK REGISTRATION - MIDDLE EAST

2016-2017



Country and Applicable Legislation	Length of Trademark (in years)	Trademark Definition	Eligible Applicants	Documentation Requirement	Language Requirement and Procedures	Treaty/ Classification	Treaty/Classification Benefits
<p><b>Iraq</b></p> <p>Law Number 21 of 1957 being the Iraq Trademark and Geographical Indications Law .</p> <p>Iraq has sought permanent membership in the World Trade Organisation (the WTO ) and is currently holding observer status.</p>	10	<p>The Iraq Trademark Law defines trademarks to include any sign, or any combination of signs, capable of distinguishing the goods of one undertaking from those of other undertakings, shall be capable of constituting a trademark. Such signs, in particular words including personal names, letters, numerals, figurative elements and colours as well as any combination of such signs, shall be eligible for registration as trademarks. Where signs are not inherently capable of distinguishing the relevant goods or services, registrability will depend on distinctiveness acquired through use. Signs need not be visually perceptible in order to be eligible for protection as trademarks.</p>	<p>Any person desirous of using a mark for distinguishing goods of his own production, manufacture, trade (including intention to trade) or making an offer to sell.</p> <p>Note: Trademark applications filed in Iraq (Baghdad) extend to whole region including Erbil. Erbil however maintains a separate trademark office. Trademark owners cannot validate trademarks that were registered in Baghdad with the trademark office in Erbil. Applicants desirous of additional protection locally within Erbil must make a separate/new application in Erbil before Ministry of Industry and Trade (Trademark Division), Erbil, the capital of Kurdistan, Iraq. The term or duration of registration is 10 years.</p> <p>Iraq protects well-known trademarks irrespective of whether such marks are registered domestically within Iraq.</p>	<ol style="list-style-type: none"> <li>1. Priority Document;</li> <li>2. Trademark Logo or specimen documents (5 x 6 cm or 6 x 7 cm in print form) and (4 x 4 cm or 315 px by 315 px);</li> <li>3. Trade license Copy for national companies only with a signature delegation from applicant if the application is filed through third party;</li> <li>4. Power of Attorney maybe given to lawyers, or IP Agents ;</li> <li>5. Passport Copy and personal details of applicant; and</li> <li>6. Additional Attachments, if any.</li> </ol> <p>Note: International applicants who do not have Iraq consulate in their home country can legalise the power of attorney before any other GCC (or; Arab) country. Accordingly, the legalisation of power of attorney should first happen before the Ministry of Foreign Affairs (or; related Ministry) in the GCC or Arab country followed by legalisation before the consulate of GCC/Arab country in Iraq followed by Ministry of Foreign Affairs in Iraq.</p>	<ol style="list-style-type: none"> <li>1. Trademark application, power of attorney, and supporting documents including trademark specimen must be submitted in Arabic language.</li> <li>2. The Registrar of trademarks accepts applications that are in compliance with law and procedures. Once accepted, the grant of marks is printed and published in the official gazette of Iraq thrice. Opposition claims are open for a term of three (3) months. If the Registrar does not receive any claim as to opposition of trademarks, the trademark is deemed as final and trademark certificate is issued to the applicant .</li> </ol>	<ol style="list-style-type: none"> <li>1. Singapore Treaty on Law of Trademarks;</li> <li>2. Paris Convention for the Protection of Industrial Property;</li> <li>3. Convention establishing the WIPO;</li> <li>4. World Trade Organisation - Observer Status ( refer, column one on left)</li> </ol>	<p>The Singapore Treaty on Law of Trademarks dated 16 March 2009 is primarily aimed at harmonising procedures of contracting parties intending to file national or regional trademark or service mark applications. The treaty comprises of 32 articles and contracting parties have the discretion to receive applications (whether in hard copy formation, electronic copies or otherwise) as per their choice. The treaty currently (as of February 2015 - source: wipo.int) comprises of 42 contracting parties.</p>
<p><b>Yemen</b></p> <p>Law Number 23 of 2010 being Yemen Trademarks and Geographical Indications Law.</p>	10	<p>Article 3 of the Yemen Trademark Law defines Trademark as 'a trademark is anything of distinctive form which is visible to the eye, including names, words, letters, numbers, signatures, drawings, symbols, seals, pictures or embossment, or a particular arrangement of colour or set of colours, or any group of these features, if used or intended to be used to distinguish the products or services of a commercial, industrial, agricultural, professional or service enterprise. There is a six month term commencing from the date of publication date up to the date of registration of a trademark.</p>	<p>Article 53 of Yemen Trademark Law sets out that following persons may apply for trademark(s):-</p> <ol style="list-style-type: none"> <li>1. Every (natural or juridical person who is) a Yemeni who chooses to base their effective activities in Yemen;</li> <li>2. every (natural or juridical person who is) a foreigner who chooses to base his effective activities in Yemen;</li> <li>3. public sector bodies and institutions; and</li> <li>4. States or entities that are linked to Yemen or where Yemen has relations of reciprocity and/or has the right to request for registration of trademark in accordance with the Trademark Law of Yemen.</li> </ol>	<ol style="list-style-type: none"> <li>1. Power of Attorney certified by a competent authority if the application is made through an agent or representative of applicant;</li> <li>2. A copy of a valid certificate of incorporation or commercial register (duly legalized), providing clearly - name of entity, name of managing director, registered place of business, and related;</li> <li>3. Image matching the mark to be registered so that they are clear and free from any promotional or descriptive phrases (14 copies);</li> <li>4. Passport copy and personal details of applicant;</li> <li>5. copy of priority document if priority is being claimed; and</li> <li>6. additional attachments, if any.</li> </ol>	<ol style="list-style-type: none"> <li>1. Translation in Arabic issued by the Office of certified documents and data written in a foreign language.</li> <li>2. In the event applicant is claiming priority, the applicant should attach the date and number of prior application along with the name of country and authority where such prior application was made. The Law also requires applicants to submit certified photo copy of prior application within three (3) months the date priority application has been filed.</li> </ol>	<ol style="list-style-type: none"> <li>1. Paris Convention for the Protection of Industrial Property ;</li> <li>2. Convention Establishing the World Intellectual Property Organization ;</li> <li>3. Paris Convention for the Protection of Industrial Property ;</li> <li>4. World Trade Organization (WTO) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)</li> </ol>	
<p><b>Jordan</b></p> <p>Law Number 34 of 1999</p> <p>gazette number 4389 of 1999 dated 1 November 1999</p>	10	<p>Article 2 of Jordanian Trademark Law defines Trademark as "any visually perceptible sign used or to be used by any person for distinguishing his goods or services from those of others."</p> <p>Opposition claims can be filed within a three month term from date of publication as per Article 14 of the Law. A notice of opposition must be given in writing in the prescribed manner and should include a statement of the grounds for the opposition.</p>	<p>Article 11 of Jordan's Trademark Law sets out that "any person claiming to be the proprietor of a used or proposed to be used trademark who is desirous of registering such trademark shall apply in writing to the registrar in the prescribed manner."</p>	<ol style="list-style-type: none"> <li>1. power of attorney duly signed, notarised, and legalised before Consular of Jordan;</li> <li>2. applicant's personal details including name, nationality, address, and occupation where applicant is an individual;</li> <li>3. applicant's company details including trade name, nationality, address, business activity, name of managing director where applicant is a corporate entity;</li> <li>4. itemised list of products forming part of trademark application;</li> <li>5. meaning and/or origin of the mark being registered; and</li> <li>6. priority documents in the event priority is being claimed and has been certified before the competent authority</li> </ol>	<ol style="list-style-type: none"> <li>1. The forms and other supporting documents to be submitted (including power of attorney) must be in Arabic .</li> </ol>	<ol style="list-style-type: none"> <li>1. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks ;</li> <li>2. Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks;</li> <li>3. Paris Convention for the Protection of Industrial Property ;</li> <li>4. Convention Establishing the World Intellectual Property Organization ;and</li> <li>5. World Trade Organization (WTO) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)</li> </ol>	<p>Jordan has been considering accession to Madrid Protocol for over an decade which (if acceded) would make Jordan compliant in trading with United States and European Union. In this regard, Jordan passed an amendments to its trademark law in the year 2007 (through Law number 29 of 2007) to access the Protocol. The Protocol has however not been implemented till date.</p>

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<p>Algeria</p> <p>Order Number 3-6 dated 19 July 2003 dealing with Trademarks.</p> <p>Executive Decree Number 5-277 of 2005 laying down the Procedures for Filing and Issuance of Trademarks.</p> <p>Executive Decree Number 8-346 of 2008 supplementing Decree 5-277 of 2005</p>	10	Article 2 of Algerian Trademark Law defines Trademark as "all symbols representable in writing, especially words including persons' names, letters and numbers, drawings, pictures, forms distinguishing goods or packages thereof, and colours or combination thereof used to distinguish goods or services of a natural or nominal person from the goods and services of someone else."	<ol style="list-style-type: none"> <li>1. Natives of natural or legal entity, practicing any of the commercial, industrial, professional, or service business ;</li> <li>2. foreigners of natural or legal entity, practicing any of the commercial, industrial, professional, or service business in the State.</li> <li>3. foreigners of natural or legal entity practicing any of the commercial, industrial, vocational or service business in any state having reciprocity of treatment with the State;</li> <li>4. public legal persons ;and</li> <li>5. owners of well-known marks.</li> </ol>	<ol style="list-style-type: none"> <li>1. power of attorney duly signed (in French language);</li> <li>2. applicant's personal details including name, nationality, address, and occupation where applicant is an individual;</li> <li>3. applicant's company details including trade name, nationality, address, business activity, name of managing director where applicant is a corporate entity;</li> <li>4. itemised list of products forming part of trademark application (2 prints of trademark to be included);</li> <li>5. meaning and/or origin of the mark being registered; and</li> <li>6. priority documents (with verified French translation) in the event priority is being claimed and has been certified before the competent authority</li> </ol>	1. The power of attorney, application form (3 print sets) and priority documents (if applicable) must be submitted in French language.	<ol style="list-style-type: none"> <li>1. Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks ;</li> <li>2. Madrid Agreement Concerning the International Registration of Marks ;</li> <li>3. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks; and</li> <li>4. Paris Convention for the Protection of Industrial Property</li> </ol>	The Madrid System makes it possible for an applicant to apply for a trademark in a large number of countries by filing a single international application at a national or regional IP office of a country/region that is party to the system. It simplifies the process of multinational trademark registration by reducing the requirement to file an application at the intellectual property office in each country in which protection is sought. The system also simplifies the subsequent management of the mark, since it is possible to record further changes or to renew the registration through a single procedural step.
<p>Egypt</p> <p>Law Number 82 of 2002 on the Protection of Intellectual Property Rights</p>	10	Article 63 of the Egyptian Trademark Law defines Trademark as "A trademark is any sign distinguishing goods, whether products or services, and include in particular names represented in a distinctive manner, signatures, words, letters, numerals, designs, symbols, signposts, stamps, seals, drawings, engravings, a combination of distinctly formed colours and any other combination of these elements if used, or meant to be used, to distinguish the products of a particular industry, agricultural, forest or mining venture or any goods, or to indicate the origin of products or goods, or their quality, category, guarantee, preparation process, or to indicate the provision of any service. In all cases, a trademark shall be a sign that is recognizable by sight. "	Article 66 of the Law clarifies "Without prejudice to the provisions of international conventions in force in Egypt, any natural person or legal entity, Egyptian or foreign, belonging to or having the center of his or its effective activity in a country or entity member in the World Trade Organization or who applies reciprocity to Egypt, shall have the right to apply for the registration of a trademark with the Department of Trade Registry in Egypt, with all attendant rights in conformity with the provisions of this Law. "	<ol style="list-style-type: none"> <li>1. power of attorney (Arabic) duly signed, notarised, and legalised before Consular of Egypt;</li> <li>2. twelve (12) prints of trademark;</li> <li>3. applicant's personal details including name, nationality, address, and occupation where applicant is an individual;</li> <li>4. applicant's company details including trade name, nationality, copy of the company's article of incorporation or commercial register legalised before the Egyptian Consulate (duly translated into Arabic), address, business activity, name of managing director where applicant is a corporate entity;</li> <li>5. itemised list of products forming part of trademark application;</li> <li>6. meaning and/or origin of the mark being registered; and</li> <li>7. priority documents in the event priority is being claimed and has been certified before the competent authority</li> </ol>	All documents (including form, incorporation documents, power of attorney and other attachments) must be submitted in Arabic language.	<ol style="list-style-type: none"> <li>1. Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks ;</li> <li>2. Madrid Agreement Concerning the International Registration of Marks;</li> <li>3. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks;</li> <li>4. Paris Convention for the Protection of Industrial Property ;</li> <li>5. Trademark Law Treaty ;</li> <li>6. Convention Establishing the World Intellectual Property Organization ;</li> <li>7. Paris Convention for the Protection of Industrial Property ;</li> <li>8. World Trade Organization (WTO) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)</li> </ol>	<p>International applicants can benefit under the Madrid System by filing a single application and getting protection in multiple countries (covered under Madrid System).</p> <p>Under the Madrid system, a trademark owner may protect a mark in up to 90 countries plus the European Union with its Community Trade Mark (CTM) by filing one application, in one language (English, French or Spanish), with one set of fees, in one currency (Swiss Francs)</p>
<p>Morocco</p> <p>Law Number 23-13 amending and supplementing Law No. 17-97 on the Protection of Industrial Property (21 November 2014)</p>	10	<p>Article 133 of Moroccan Trademark Law defines Trademark as "For the purposes of this Law, a trademark or a service mark means a sign capable of graphic representation which serves to distinguish the goods or services of a natural or legal person.</p> <p>The following, in particular, may constitute such a sign:</p> <ol style="list-style-type: none"> <li>a. Denominations in all forms, such as: words, combinations of words, surnames and geographical names, pseudonyms, letters, numerals, abbreviations;</li> <li>b. figurative signs such as: devices, labels, seals, selvages, reliefs, holograms, logos, synthesized images; shapes, particularly those of a product or its packaging or those that identify a service; arrangements, combinations or shades of color.</li> <li>c. sound signs such as : sounds, musical pieces;</li> <li>d. olfactory marks.</li> </ol>	<ol style="list-style-type: none"> <li>1. Natives of natural or legal entity, practicing any of the commercial, industrial, professional, or service business ;</li> <li>2. foreigners of natural or legal entity, practicing any of the commercial, industrial, professional, or service business in the State.</li> <li>3. foreigners of natural or legal entity practicing any of the commercial, industrial, vocational or service business in any state having reciprocity of treatment with the State;</li> <li>4. public legal persons ;and</li> <li>5. owners of well-known marks.</li> </ol>	<ol style="list-style-type: none"> <li>1. power of attorney (Arabic) duly signed, notarised, and legalised before Consular of Morocco to be submitted through local agent;</li> <li>2. fifteen (15) prints of trademark;</li> <li>3. applicant's personal details including name, nationality, address, and occupation where applicant is an individual;</li> <li>4. applicant's company details including trade name, nationality, copy of the company's article of incorporation or commercial register legalised before the Morocco Consulate (duly translated into Arabic), address, business activity, name of managing director where applicant is a corporate entity;</li> <li>5. itemised list of products forming part of trademark application;</li> <li>6. meaning and/or origin of the mark being registered; and</li> <li>7. priority documents in the event priority is being claimed and has been certified before the competent authority</li> </ol> <p>Note:</p> <ol style="list-style-type: none"> <li>a. For sound marks - applicants must submit musical notations (musical notes); and</li> <li>b. For smell marks - applicants must submit explanatory legend as to essence.</li> </ol>	<p>The application form is submitted in French language.</p> <p>Once the marks have been published in the Official Gazette, there is a set term of sixty (60) post publication date to file for opposition claims relating to domestic registrations. In case of international applications, the term is set for two (2) months from the date mark is published in Gazette. Opposition term cannot be extended.</p>	<ol style="list-style-type: none"> <li>1. Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks ;</li> <li>2. Madrid Agreement Concerning the International Registration of Marks;</li> <li>3. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks;</li> <li>4. Paris Convention for the Protection of Industrial Property ;</li> <li>5. Trademark Law Treaty ;</li> <li>6. Convention Establishing the World Intellectual Property Organization ;</li> <li>7. Paris Convention for the Protection of Industrial Property ;</li> <li>8. World Trade Organization (WTO) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)</li> </ol>	<p>Morocco is a member of the Paris Convention. An applicant who has applied for a trade mark in another convention country is entitled to a priority right to be accorded the same date as the first filed application, provided the Moroccan application is filed within six months of such earlier filing date.</p> <p>Morocco is also a member of the Madrid Agreement and Protocol, so that registration of a trade mark may be obtained by way of an international application designating Morocco.</p> <p>Under the WIPO-administered Madrid system, a trademark owner may protect a mark in up to 90 countries plus the European Union with its Community Trade Mark (CTM) by filing one application, in one language (English, French or Spanish), with one set of fees, in one currency (Swiss Francs)</p>

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Tunisia  Law Number 36 of 2001	10	A trademark or a service mark is an apparent sign, which makes it possible to distinguish the goods presented or the services provided by a natural or a juridical person. In particular this sign may consists of: a. All forms of designations such as: words, groups of words, surnames, geographical names, pseudonyms, letters, numbers and symbols. b. graphic signs such as: drawings, holograms and shapes in particular those related to the product, its method of presentation, or those which distinguish the services, the arrangements of colors, the mixings of colors or the separation of the grades of colors. c. Phonic signs such as musical tunes and sentences.	1. Natives of natural or legal entity, practicing any of the commercial, industrial, professional or service business ; 2. foreigners of natural or legal entity, practicing any of the commercial, industrial, professional, or service business in the State. 3. foreigners of natural or legal entity practicing any of the commercial, industrial, vocational or service business in any state having reciprocity of treatment with the State; 4. public legal persons ;and 5. owners of well-known marks.	1. power of attorney duly signed; 2. six (6) prints of trademark; 3. applicant's personal details including name, nationality, address, and occupation where applicant is an individual; 4. applicant's company details including trade name, nationality, copy of the company's article of incorporation or commercial register, address, business activity, name of managing director where applicant is a corporate entity; 5. itemised list of products forming part of trademark application; and 6. meaning and/or origin of the mark being registered.	The application form can be submitted in English or French.	1. Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks; 2. Convention Establishing the World Intellectual Property Organization ; 3. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks ; 4. Hague Agreement Concerning the International Registration of Industrial Design ; 5. Paris Convention for the Protection of Industrial Property ; 6. Agreement establishing the World Trade Organization (WTO) ; 7. World Trade Organization (WTO) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) ; 8. Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks	Under the WIPO-administered Madrid system, a trademark owner may protect a mark in up to 90 countries plus the European Union with its Community Trade Mark (CTM) by filing one application, in one language (English, French or Spanish), with one set of fees, in one currency (Swiss Francs)