



Intellectual Property Protection in the Middle East *James Brown*

February 2014

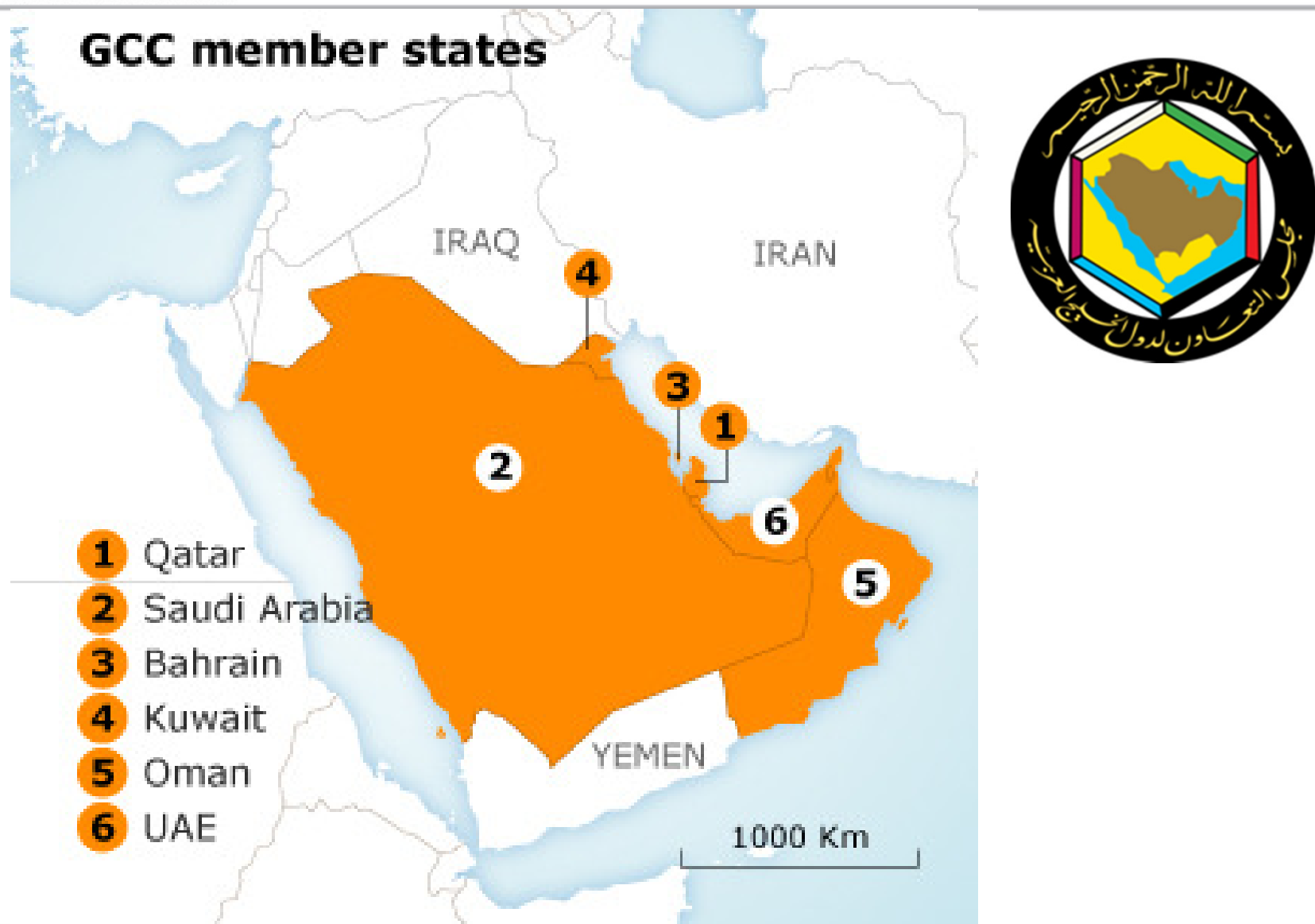
- © Technology protection - Patents
 - © GCC Route vs. National Patent Office Route
- © Brand protection – Trade Marks
- © Industrial Design protection
- © Software protection - Copyright
- © GCC Filing trends
 - © Saudi Aramco Case study
- © Summary

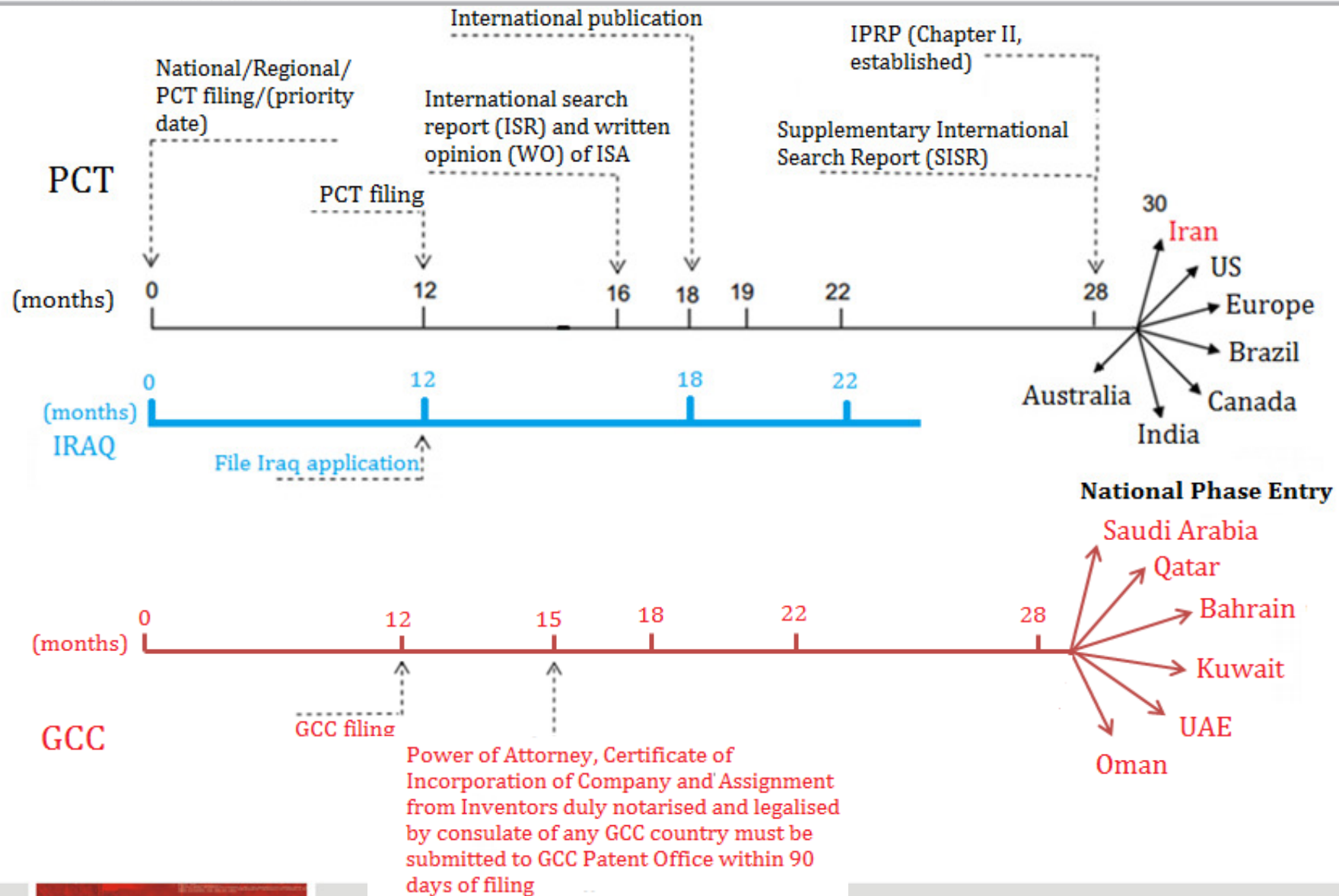
© How to protect tools, processes, inventions

© Route 1 - Gulf Co-operation Council (GCC) :

File a single GCC patent application parallel to International PCT application at **12 month stage from filing priority application**

© Consider filing Iraqi patent application (**also at 12 month stage**)





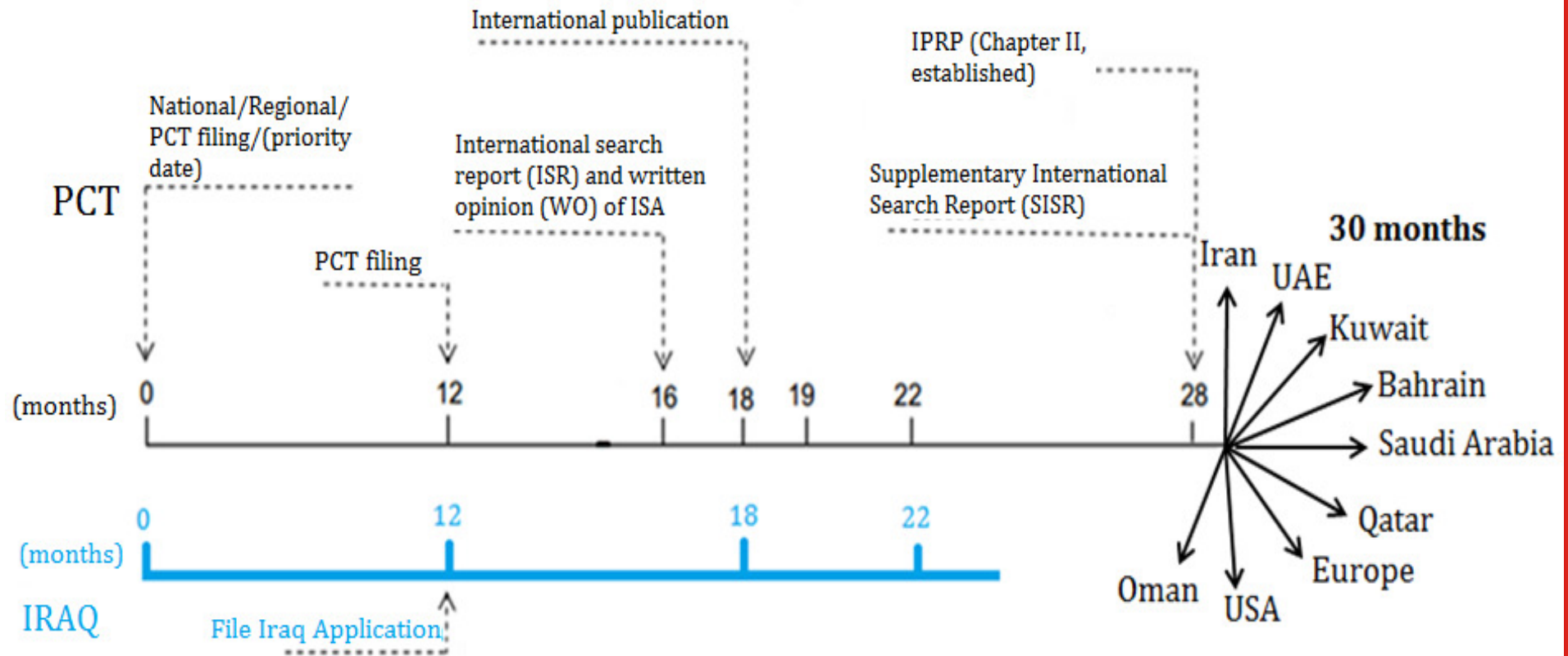
© How to protect technology - tools, processes, inventions

© Route 2 - International PCT :

File individual applications at each of the national patent offices following International PCT route (National phase) at **30 month stage** – Not possible for Iraq.

© Consider filing Iraqi patent application (**at 12 month stage**)

Patents – Route 2 – International PCT



	Priority claim	Novelty	Validity years	Extension years	Substantive examination	Annuity	Working requirements
Oman **	Yes, 12 months	Absolute	20	None	Yes	yes, after filing	None
Bahrain **	No	Based on basic regist.	15	5	None	None	None
UAE **	Yes	Absolute	20	None	Yes	Yes	Yes, within 4 years from filing
Kuwait **	Yes. Based on reciprocity	No	20	None	None	None	Yes, 3 years from grant
GCC Patent	Yes	Absolute	20	None	Yes	Yes	Yes, 3 years from grant
Iraq	Yes	Absolute	20	None	Yes	Yes, After granting	Yes, 3 years from grant
Saudi Arabia **	Yes	None	15 Hijri	5 Hijri	Yes	After granting	Yes, within 2 years
Qatar **							

Absolute novelty: all material made available to the public anywhere in the world forms part of the state of the art

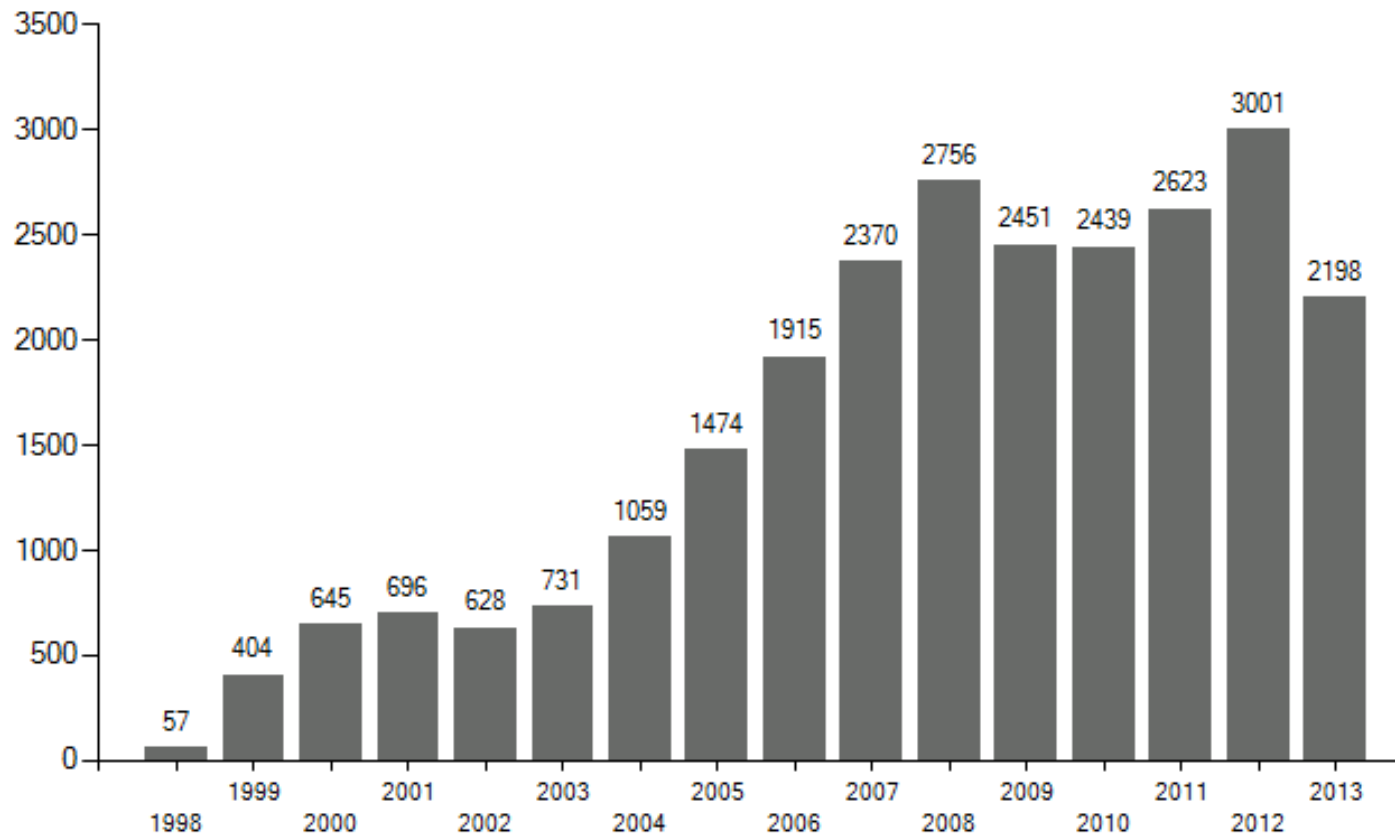
Country	Service mark registrable?	Priority	Time frame for completing registration
Bahrain	Yes	Yes	28-30 Months
Oman	Yes	Yes – 6 months	8-14 Months
Kuwait	Yes		2 Years
Saudi Arabia	Yes	Yes	-
Qatar	Yes	Yes	24 Months
UAE	Yes	Yes	9-12 Months
Iraq	Yes	No	24-36 Months

Country	Priority claim	Novelty	Validity years	Extension years	Substantive Examination	Annuity
Oman	Yes, 6 months	Absolute	15	None	None	Every year
Bahrain	No	None	5	2 x 5 year periods	None	None
Saudi Arabia	Yes	Absolute	10	None	None	Every year
Kuwait	Yes	None	15	None	None	None
UAE	Yes	Absolute	10	None	None	Yes
Qatar	Implementing Regulations not yet issued					
Iraq	Yes	None	7	None	Yes	Yes
Iran	Yes	Absolute	5	2 x 5 year periods	-	Every 5 years

Country	Existing Copyright law?	Duration of protection
Bahrain	Yes	50 years
Saudi Arabia	Yes	50 years
UAE	Yes	50 years
Kuwait	Yes	50 years (subject to registration of the copyright work)
Oman	Yes	50 years
Qatar	Qatari Copyright Law issued but implementing regulations not yet issued. Possible to deposit work at Copyright office but not possible to pay fees and no filing certificate will be issued	-
Iraq	Copyright law not yet implemented	-
Iran*	Yes, although fail to protect foreign copyright	-

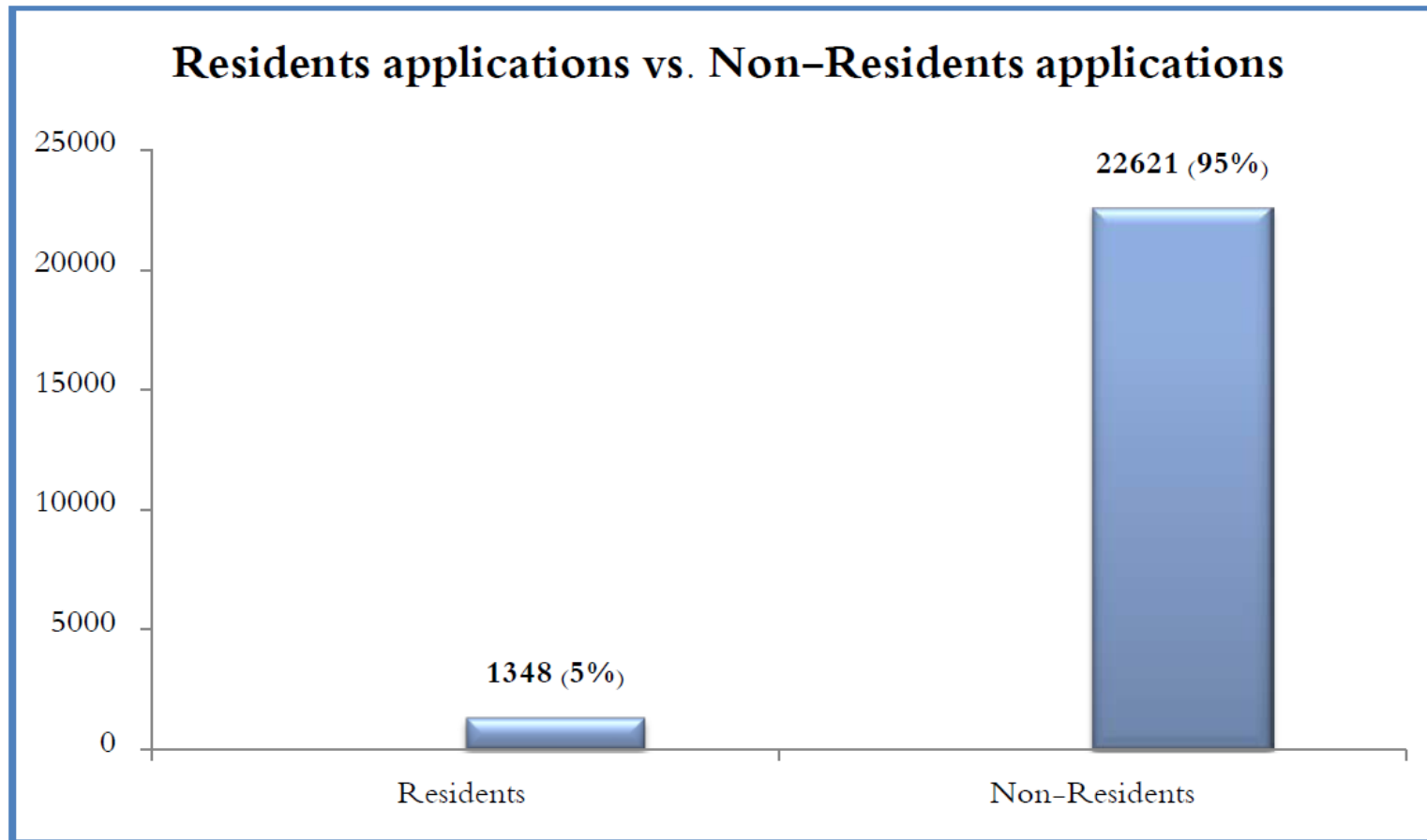
* Iran has not yet signed up to the Berne Convention

Annual filing

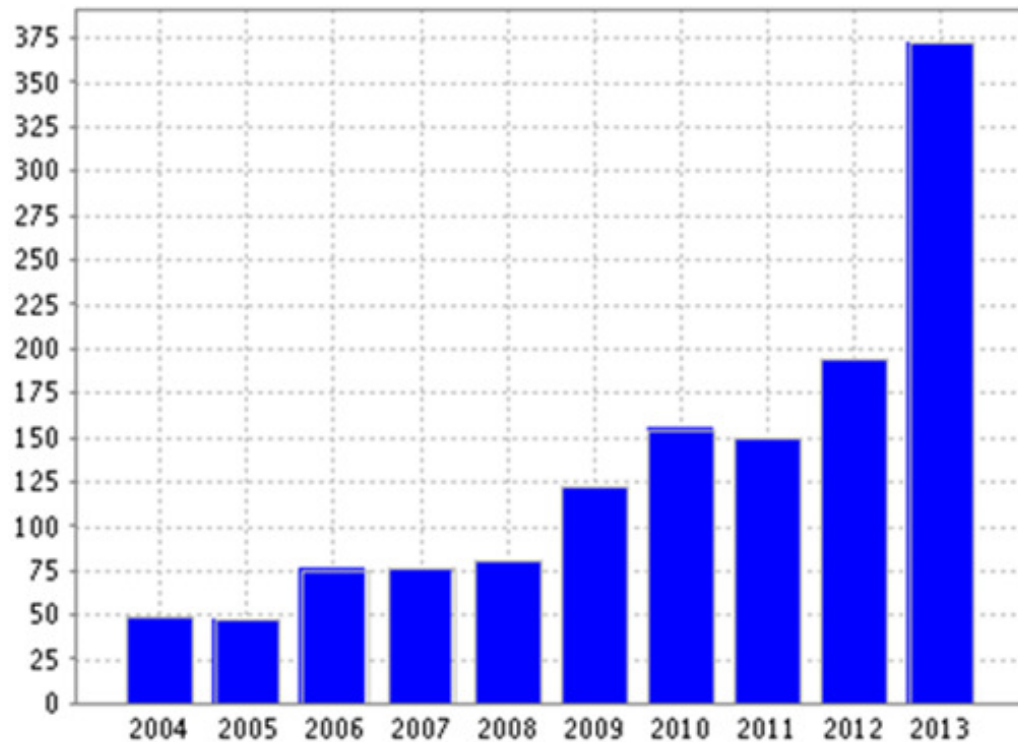


Steady rise in annual filing numbers – companies increasingly see the value of protecting IP in the Middle East

Resident vs. Non-resident Applications



Since 1998 just over 23000 applications have been filed, 95% of them from overseas applicants



Pub Date	
Date ↕	No ↕
2004	49
2005	48
2006	76
2007	77
2008	81
2009	123
2010	155
2011	150
2012	195
2013	373

- © Steady increase in number of patent filings
- © Record number of worldwide patent filings in 2013 – just under 375 applications
- © Suggests marked increase in R&D spend

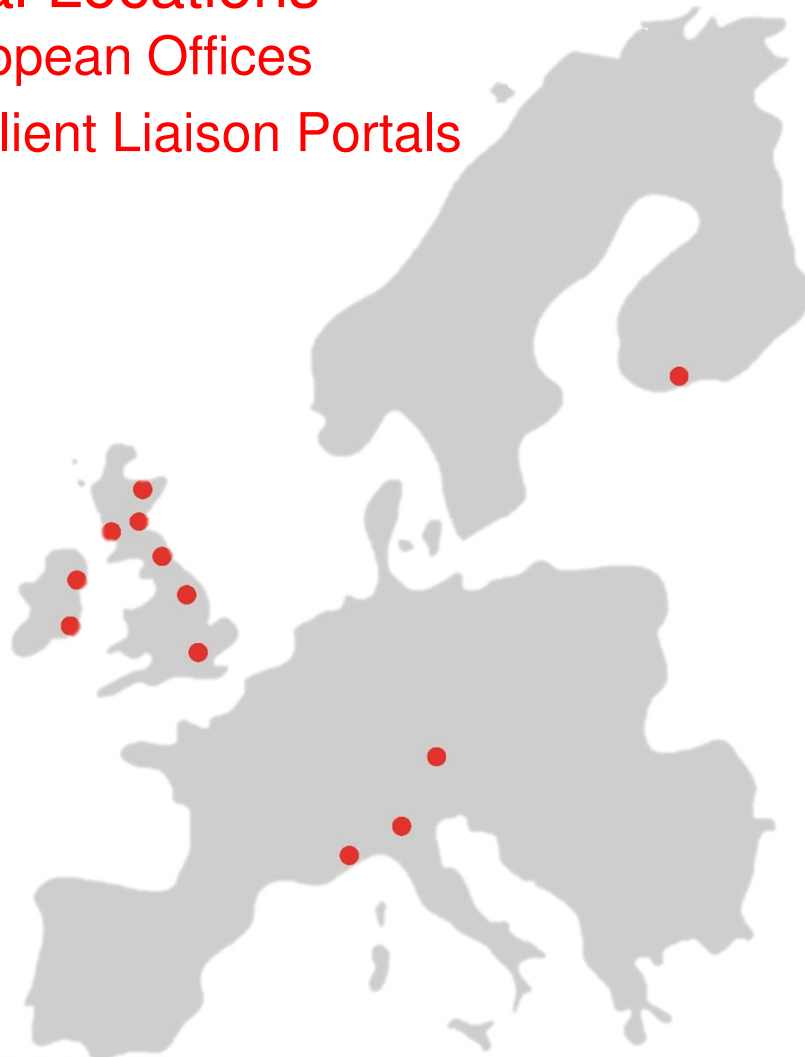
- © 2 Routes available for technology protection via patent
 - © Single GCC application most cost effective – but usually must be filed within first 12 months
 - © National route at end of 30 months via PCT provides second chance – but more expensive
- © Can protect brands throughout middle east
- © Can mostly protect industrial designs throughout middle east
- © Patchy software protection throughout middle east
- © Others are ramping up middle east IP protection – should you?

Murgitroyd Locations

15 Global Locations

© 13 European Offices

© 2 US Client Liaison Portals



Aberdeen
Belfast
Dublin
Durham (USA)
Edinburgh
Glasgow
Helsinki
London
London City
Milan
Munich
Newcastle
Nice
San Francisco
York