

**In the Name of Allah, the Most Gracious, the Most Merciful
Cooperation Council for the Arab States of the Gulf**

Executive Regulations of GCC Trademarks Law

Chapter 1 - Definitions

Article (1)

The words and expressions mentioned herein shall have the same meanings set forth in the GCC Trademarks, and the following terms and conditions shall have the meanings ascribed thereto hereunder, unless the context otherwise requires:

- Competent Authority** : The department that is concerned with the registration of trademarks in every GCC state.
- Law** : GCC Trademarks Law
- Committee of Grievances** : A committee to be formed under a resolution passed by the relevant minister to consider the grievances.
- Priority** : Reliance of a pervious application lodged in a state.

Chapter 2 - Trademarks Registration Procedures

Article (2)

The application for the registration of a trade mark shall be submitted to the Competent Authority on the form prepared for same by the concerned person if he has a domicile in the State or by his authorized proxy having a domicile in the State and recorded in the Trademarks Registration Proxies Register to be determined by the Competent Authority. The application shall be limited to the registration of a trademark for only one category. Goods or services for which trademarks are to be registered under one application may have several categories, and same shall be approved by the Competent Authority as per the international classification of goods and services (Nice Classification), as amended, in compliance with the Public Order in every state.

Article (3)

The trademark registration application shall include the following data:

1. Picture of the trademark to be registered.
2. Registration applicant's name, domicile and nationality. If the registration applicant is a legal person, its name and address shall be mentioned.
3. Accurate description of the trademark to be registered.
4. The goods or services for which the trademark registration is required and the category thereof.
5. Number and date of priority and the state in which the application is lodged (if any).
6. Signature of the registration applicant or his authorized proxy, and if the application is submitted by a legal person, the papers shall be signed by its authorized signatory, and if the application is submitted by the proxy, its name and address shall be mentioned.

Article (4)

Trademark registration application shall be accompanied by the following:

1. Four pictures of the trademark that are identical to the form of mark mentioned in the registration application.
2. If the application is submitted by a proxy, a copy of the proxy shall be submitted together with the original version thereof for comparison, and the original version shall be duly attested and translated into Arabic.
3. A statement affirming the performance of profession or business.
4. A statement affirming the payment of application submission fees.
5. If the mark to be registered includes a word(s) written in a foreign language, the registration applicant shall submit a certified translation thereof into Arabic and how it is pronounced.
6. Sound marks shall be submitted as per a musical note or transcription.
7. Odor marks shall be submitted under a written description.

Article (5)

- a. If the mark registration applicant or his successor desires to have the priority right based on a previous application lodged in a state that is a member in a multilateral international convention in which a GCC State is a party therein, such applicant shall enclose to his application a copy of the previous application together with an acknowledgment clarifying the date and number of the previous application and the state in which such application is lodged, as well as a certificate clarifying the date of lodging issued by the depository together with a copy of the previous application and the Arabic translation thereof, within six months from the date of registration application on which the applicant relies as to the priority right. Otherwise, his right to claim such right shall be prescribed.
- b. Original priority documents may be attached within three months from the date on which the registration application is submitted.

Article (6)

The Competent Authority shall decide on the registration application within ninety days from the date of its submission, whether by accepting such application if it meets the conditions and circumstances provided for in this Law and its Executive Regulations or by rejecting it. The Competent Authority shall, in writing or electronically, notify the applicant of its decision.

The Competent Authority may ask the applicant to meet the conditions or documents or to make the necessary amendments on the registration application within ninety days from the date of notice to be served to him. Otherwise, his application shall be deemed to be waived.

Article (7)

If the Competent Authority rejects the trademark registration application or suspends same on a condition, the applicant or his representative may challenge such rejection before the Committee of Grievances within (60) days from the date on which such rejection is notified to him.

Article (8)

The Relevant Minister in every GCC state shall, under a resolution, form a Committee to consider the grievances. Such resolution shall determine the number of committee members, period of membership, activities and remunerations of such members.

Article (9)

Resolution of the Committee of Grievances shall be, in writing or electronically, notified to the grievant with thirty days from the date of its issuance, the grievant may challenge such resolution before the court of jurisdiction within (60) days from the date on which such decision is notified to him.

Article (10)

- a. If the application is accepted, the registration applicant or his proxy shall pay the costs of publication within thirty days from the date on which the resolution is notified to him. Otherwise, such application will be deemed waived by such applicant.
- b. The announcement shall include the following data:
 1. Application number and submission date.
 2. Registration applicant's name, address and nationality.
 3. Picture of the trademark.
 4. Proxy's name and address.
 5. The goods or services for which the mark is to be registered and their category.
 6. Restrictions and requirements.
 7. Number and date of priority and the state in which the application is lodged (if any).

Article (11)

The Competent Authority shall issue or determine a bulletin for trademarks in which anything to be published pursuant to the provisions of the Trademarks Law and its Executive Regulations shall be announced.

Article (12)

1. Any concerned person may object to the registration of a mark. Such objection shall be submitted to the Competent Authority in within sixty days from the date on which it is published in the bulletin issued or determined by the Competent Authority after the payment of the set fees of objection, and according to the form customized for same.
2. The Competent Authority shall provide the registration applicant with a copy of the objection within thirty days from the date on which it is submitted.
3. The registration applicant shall reply to the objection in writing within thirty days of notification. Otherwise, the applicant is deemed to have assigned his request.

Article (13)

1. The Competent Authority shall set a session for hearing the statements of registration applicant and/or objector upon his request, submitting the supporting documents and notifying same after the payment of set fees.
2. The Competent Authority shall, within ninety days from the date of session, issue its justified decision, including the restrictions or conditions it deems convenient.

Article (14)

Decision of registration acceptance shall be a definitive one after the elapse of sixty days from the date of announcing the mark in the bulletin to be issued or determined by the Competent Authority, while no objection to its registration is submitted or a definitive judgment is issued in this regard.

Registration applicant shall pay the mark registration fees within thirty days from the date on which the final decision of mark registration acceptance is issued. Otherwise, the applicant is deemed to have assigned his request.

Article (15)

The Competent Authority shall register the mark in the Trademarks Register and its owner shall be given a certificate containing the following information:

1. Registration number of the mark.
2. Trademark protection commencement and expiration dates.
3. Number and date of priority and the state in which the application is lodged (if any).
4. Name, domicile and nationality of the owner and his commercial name (if any).
5. Picture of the trademark.
6. The goods or services for which the trademark is registered and the respective categories thereof.
7. Restrictions and requirements (if any).

Trademark registration shall come into force as of the date of registration application submission set forth in the Trademarks Register.

Article (16)

The owner of an already registered trade mark may apply for amending the following data in the Trademarks Register as per the form customized for same after the payment of set fees:

1. Trademark owner's name, address, profession or nationality, and if such owner is a legal person, every change made on the name and address shall be recorded.
2. Striking off some goods and services for which the mark is registered.
3. Changing the proxy's name and/or address.

The Competent Authority shall prepare an announcement including the amendment required in clauses 1 and 2 hereof; and publish same in the bulletin to be issued or determined by the Competent Authority after the payment of publication costs, and same shall be annotated in the Trademarks Register, and a statement affirming same shall be given to the applicant.

Chapter 3 – Trademark Protection Period

Article (17)

If the owner wishes to continue such protection for similar periods, he shall submit an application on the form customized for same to the Competent Authority after the payment of set fees during the last year of its protection period and for the sixth months following the expiration of protection.

Article (18)

Formally-accepted protection period renewal applications shall be accepted after the payment of due fees without any further inspection and the Competent Authority shall prepare an announcement of renewal including the following information:

1. Mark number and category.
2. Mark owner's name, address and nationality.

The Competent Authority shall publish the announcement in the bulletin to be issued or determined by the Competent Authority after the payment of publication costs, and same shall be annotated in the Trademarks Register.

Chapter 4 – Provisional protection of Marks used in Exhibitions

Article (19)

If the mark owner desire to provisionally protect his mark fixed on the goods or services displayed in national and intentional exhibitions organized within a GCC State, he shall notify the Competent Authority, concerned with the registration of marks in such State, of his desire to display his goods or services at least one month before the inauguration of the exhibition. The notice shall be issued on the form customized for same, and such notice shall be accompanied with four pictures of the mark and a statement affirming the payment of set fees, provided that such marks shall meet the registration requirements set forth in the Law and its Executive Regulations.

Article (20)

Provisional protection applications of the marks used in the exhibitions shall be recorded in a special register called “Provisional Protection Register” including the following information:

1. Provisional protection number.
2. Application submission date.
3. Exhibitor's name.
4. Exhibition's name and date of official inauguration.
5. The goods or services for which the trademark registration is required and the category thereof.

Article (21)

The Competent Authority shall issue a certificate of provisional protection for the mark used in the exhibitions for a period not exceeding six months from the date on which the exhibition is inaugurated.

Article (22)

The provisional protection certificate mentioned in the previous article may only be given as to the exhibitions for which an official resolution is issued.

Chapter 5 - Trademarks Deregistration

Article (23)

Trademarks shall be deregistered pursuant to the provisions of the Law, and the Competent Authority shall record such deregistration in the Trademarks Register, and same shall be

announced in the bulletin to be issued or determined by the Competent Authority, provided that the announcement shall include the following information:

1. Picture of the trademark.
2. Number of the registered trademark.
3. Trademark owner's name and nationality.
4. Deregistration reason and date.

If the deregistration is based on a request submitted by the trademark owner, the request shall be submitted in the form customized for this purpose after paying the relevant fees and publication costs, provided that the mark shall be registered and its protection shall be valid.

Chapter 6: Transfer, Mortgage and Attachment of Trademarks

Article (24)

Trademark ownership may be transferred as per an application to be submitted to the Competent Authority by the transferee or his authorized proxy after the payment of set fees, and such application shall be made on the form customized for same, including the following information:

1. Registered trademark number and category.
2. Name and address of the previous owner of mark.
3. Name of the transferee's name, commercial name (if any), address and nationality.
4. Date of transfer and disposal or act based on which the transfer occurs.
5. If the application is submitted by a proxy, his name and address shall be mentioned.

The application shall be accompanied with the following documents that shall be duly attested and translated into Arabic:

1. A statement affirming the transfer.
2. A statement affirming the activity.
3. Original proxy if the application is submitted by an attorney.

Article (25)

Notwithstanding the provisions of article (5) of the Law, heirs of the trademark may severally or jointly transfer the trademark under an assignment deed signed by whoever has a right in such trademark.

Article (26)

The Competent Authority shall prepare an announcement as to the trademark transfer, including the following information:

1. Registered trademark number and category.
2. Name and address of the previous owner of mark.
3. Name of the transferee's name, address and nationality.

The Competent Authority shall publish the announcement in the bulletin to be issued or determined by the Competent Authority after the payment of publication costs, and same shall be annotated in the Trademarks Transfer Register.

Article (27)

Annotation in the Register shall be made as per the same procedures and circumstances of trademark transfer, and the announcement of mortgage shall include the same information set forth in article (25) hereof after the payment of set fees.

Article (28)

Trademark mortgage may be redeemed as per a request to be submitted to the Competent Authority by the trademark owner, and such request shall be accompanied with the supporting documents that shall be duly attested and translated into Arabic, after the payment of set fees.

The Competent Authority shall announce the mortgage redemption in the bulletin to be issued or determined by the Competent Authority after the payment of publication costs, and same shall be annotated in the Register, and a statement affirming same shall be submitted to the applicant.

Article (29)

Attachment of registered trademark shall be recorded in the Register under a judicial order, and such attachment shall only be cancelled under a definitive judgment.

Chapter 7 - Licensing Contracts

Article (30)

If the owner of trademark gives a license to a natural or legal person to use the mark on all or some of the goods or services for which the mark is registered, the licensing contract shall be written, duly attested and translated if the original version of contract is written in a language other than Arabic. In all cases, the period of license shall not exceed the set period of trademark protection.

Article (31)

License registration application shall be submitted to the Competent Authority by the mark owner or his authorized attorney or the licensee as per the form customized for same, after the payment of the set fees, and such application shall include the following information:

1. Registered trademark number.
2. Trademark owner's name and nationality.
3. Licensee's name, address, domicile and nationality.
4. The goods or services for which the trademark is registered.
5. License commencement and expiration dates.
6. Territory of the license (if any).

The application shall be accompanied with the following documents that shall be duly attested and translated into Arabic:

1. Licensing contract.
2. Original proxy.

Article (32)

The Competent Authority shall record the contract licensing the use of a trademark in the Trademarks Register; and provide the applicant with a statement affirming same upon the applicant's request. The Competent Authority shall publish the announcement in the bulletin to be issued or determined by the Competent Authority after the payment of the publication costs, and such announcement shall include the following information:

1. Picture of the trademark to be registered.

2. Registered trademark number and registration date.
3. Trademark owner's name, address and nationality.
4. Licensee's name, address and nationality.
5. The goods or services for which the trademark registration is required and the category thereof.
6. License commencement and expiration dates.
7. Territory of the license (if any).

Article (33)

A licensing contract shall be stricken off the register at the request of the mark owner, authorized proxy or licensee after providing evidence of termination or cancellation of the licensing contract and after the payment of set fees.

The Competent Authority shall, in writing, notify the other party of the application submitted for striking the license off. In such case, said party may object to same before the court of jurisdiction within thirty days from the date on which he receives such notice, and a copy of objection shall be submitted together with a statement affirming the submission thereof to the Competent Authority. Striking off shall not be made unless the two parties agree thereon or a definitive judgment is issued by the court as to the consideration of objection.

Article (34)

If no objection is submitted to the license striking off or a definitive judgment is not issued by the court as to the objection, the Competent Authority shall publish the striking off in the bulletin to be issued or determined by the Competent Authority, after the payment of the publication costs, and the license striking off shall be recorded in the Register, and a statement affirming same shall be provided to the applicant.

Chapter 8

Collective Marks, Control Marks and Marks of Public Authorities and Occupational Establishments

Article (35)

In addition to the provisions of articles Nos. 2 and 3 hereof, the collective mark registration application shall be accompanied with the following:

1. The registration application shall include a phrase stating that it is a collective mark.
2. True copy of the regulation of the union, organization or public corporation requesting the registration, together with the amendments made thereto, provided that it shall include:
 - a. A statement of the classes of persons having the right to use the mark and their relations to the applicant.
 - b. A Copy of the requirements of using the collective mark of goods and services.
 - c. An acknowledgment stating that the applicant will accurately control the use of the collective mark by the members affiliated thereto.
 - d. The method of qualifying the members for having membership in such entity.
3. All the documents shall be duly attested and translated into Arabic. Publication and registration shall be made as per the same procedures set forth in Chapter 2 hereof.

Article (36)

In addition to the provisions of articles Nos. 2 and 3 hereof, the control or inspection mark registration application shall be accompanied with the following requirements:

1. The registration application shall include a phrase stating that it is a control or inspection mark.
2. True copy of the regulation of the union, organization or public corporation requesting the registration, together with the amendments made thereto, provided that it shall include:
 - a. An acknowledgment stating the control or inspection mark will be only used by the applicant, and the latter will neither market or produce any goods or services on which the mark is fixed nor practice any discrimination policies preventing any third party, which meets the requirements set by the owner, from using the mark.
 - b. An acknowledgment stating the control or inspection mark affirms the quality or advantages of goods or services and does not refer to the origin of goods or services.
 - c. Documents determining the specifications and standards applied by the entity with which the application is lodged, for controlling the use of mark; and affirming that the applicant practices a certified program for quality evaluation.
 - d. A certificate clarifying the advantages of goods or services that are approved or to be approved.
3. All the documents shall be duly attested and translated in Arabic.
Publication and registration shall be made as per the same procedures set forth in Chapter 2 hereof.

Article (37)

If an application is submitted to register marks for non-commercial purposes, same shall be mentioned in the registration application and such application shall be accompanied with the regulation of the Public Authorities or occupational establishments, i.e. the applicant. Publication and registration of mark shall be made as per the same procedures set forth in Chapter 2 hereof.

Chapter 9 – General Provisions

Article (38)

The Competent Authority shall prepare an announcement including the judgment issued against the violator in case of repeating the offence as per article 43 of the Law, and such announcement shall be published, at the expense of violator, in two widely-distributed newspapers, of which one is issued in the region where the violator's head office (if any) exists.

Article (39)

The Competent Authority may create an electronic system and database in order to submit the applications for registration and renewal of the protection period of the trademark and follow up its procedures. In submitting such applications, information set forth in the Article No. 3 hereof, must be observed.

Article (40)

The due fees shall be set as per the schedule attached hereto, and every member state may impose different fees as per the procedures adopted therein.

Trademarks Fee (In SAR) or its Equivalent in GCC Currency

Services	Fees
First: Trademarks and service marks for one mark and one category	
• Trademark registration application	(1000)
• Trademark publication (if the bulletin is issued by the Competent Authority)	(500)
• Trademark registration and certificate issuance	(5000)
Second: Collective Marks, Control Marks and Marks of Public Authorities and Occupational Establishments	
• Collective Marks, Control Marks and Marks of Public Authorities and Occupational Establishments registration application	(2000)
• Trademark publication (if the bulletin is issued by the Competent Authority)	(1000)
• Application for amending the system of using a registered mark allocated for indicating control, inspection or collective mark	(500)
• Trademark registration and certificate issuance	(5000)
Third: Challenge and Objection to a Mark of one Category	
• Challenging the decision of mark registration or suspending same on a condition	(1000)
• Mark registration objection application	(2000)
• Hearing determination application	(1000)
Fourth: Renewal of one Mark of one Category	
• Mark renewal application submitted during the last year of its protection period	(5500)
• Mark renewal application submitted within six months from the date on which the protection expires	(6500)
• Renewal publication (if the bulletin is issued by the Competent Authority)	(1000)
Fifth: Transfer of one Mark of one Category	
• Mark transfer annotation application	(1000)
• Transfer publication (if the bulletin is issued by the Competent Authority)	(500)
Sixth: Licensing the use of one mark of one category	
• Mark use licensing annotation application	(2000)
• License publication (if the bulletin is issued by the Competent Authority)	(1000)
• License deregistration application	(1000)
• License deregistration publication (if the bulletin is issued by the Competent Authority)	(1000)

Seventh: Mortgage of one mark of one category	
• Mark mortgage licensing annotation application	(1000)
• Mortgage publication (if the bulletin is issued by the Competent Authority)	(500)
• Mortgage redemption application	(500)
• Mortgage redemption publication (if the bulletin is issued by the Competent Authority)	(500)

Eighth: Amending the information after registration of one mark of one category	
• Mark owner's name change annotation application	(1000)
• Mark owner's address change annotation application	(1000)
• Mark owner's/proxy's name and address change annotation application	(1000)
• Registration proxy's name change annotation application	(200)
• Owner's/proxy's name and address amendment publication (if the bulletin is issued by the Competent Authority)	(500)

Ninth: Amending the form of one mark of one category	
• Mark form amendment application	(1000)
• Mark form amendment publication (if the bulletin is issued by the Competent Authority)	(500)
• Challenging the registered mark amendment rejection decision	(500)

Tenth: Deregistration of one mark of one category	
• Mark deregistration application submitted by the owner	(200)
• Goods or services part deregistration application	(200)
• Deregistration publication (if the bulletin is issued by the Competent Authority)	(200)

Eleventh: Other Fees	
• Trademark provisional protection application (for one mark of one category)	(1000)
• Trademark initial inspection application (for one mark of one category)	(1000)
• True copy or replacement of registration certificate obtainment application (for one mark of one category)	(1000)
• Mark lodging certificate obtainment application (for one mark of one category)	(500)
• Application of a true copy of any application of document submitted to/issued by the Competent Authority (for one mark of one category)	(200)
• Recording a trademark proxy in the Proxies Register	(3000)
• Renewing the recording in the Proxies Register (annually)	(3000)
• Fees of publication (if the bulletin is issued by the Competent Authority)	(50)

Authority)	
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