

## Trademark Filing Offer

### Egypt

- Egypt is a member of the Madrid Agreement for the International Registration of Marks (*Since July 1<sup>st</sup> 1952*).
- Egypt adopts NICE Classification 10<sup>th</sup> edition (*International classes 01~45*)
- NICE classification (اتفاقية نيس لتصنيف السلع والخدمات) is an international list of goods & services, where classes from 1 till 34 are concerned with goods; while classes from 35 till 45 are concerned with services.

#### ✓ Important Notes:

- Multi-class applications are applicable in Egypt; as well as one single application.
- Priority is acceptable to be claimed in Egypt, provided that the priority claim is within (6) months from the parent application's filing date.
- Merger, License, Lien, Change of name /address are acceptable to be recorded against pending applications.
- As per new regulations issued by the Egyptian Trademark Office, the deadline to file a petition application in response to the provisional refusal of an **international registration** has been reduced to three months instead of six months from the date of notification from the World Intellectual Property Organization (**WIPO**).
- Use of trademarks in Egypt is not compulsory for registering or renewing trademark registrations. However, a trademark registration is vulnerable to cancellation action if any third party can prove that the subject trademark has not actually been used for a period of 5 consecutive years. Unless the owner proves that non-use of the trademark was for reasonable cause, the trademark registration will be canceled.

- A single application is acceptable to be filed in the name of more than one applicant (*joint applications*); with the same requirements and quotations as the normal application.
- The Trademark Office or any party concerned is entitled to demand cancellation of any trademark registered in bad faith.
- Any infringement or unauthorized use of a registered trademark is punishable under the provisions of the current trademark law.
- The assignment/ license/ merger/ and also change of names and/or addresses of a trademark should be recorded at the Trademark Office, and unless it is published in the Official Gazette it shall not be effective against third parties.

✓ **Procedures:**

- A. Upon filing the trademark application(s) at the Egyptian TM office, the Registrar starts to examine the registrability of the subject trademark in Egypt, taking around 12-15 months to finalize its examination procedures.
- B. In case the examiner found the mark lacking any requirement as provided for in the law and its regulations, the examiner will decide to reject the application.
- C. In such case, the applicant is asked to appeal this provisional refusal within (30) days from the date of receiving the relevant official notification, or the application will lapse.
- D. The registrar reviews the appeal along with its supporting evidences (if any) and issue his decision, either to accept the appeal and resume registration procedures; or to confirm the rejection decision. Where the only course of action in such cases is to sue a case before the court of Law.
- E. Approved trademark applications (by the registrar) are published in the Official Gazette; where a period of (60) days starting from the date of its publishing is granted for third parties to file a formal opposition against the same.
- F. In the absence of opposition actions till the expiry of 60-day grace period, a published trademark will be due for registration, and the registration certificate will be issued in due course.
- G. A trademark registration is valid for 10 years from its date of filing in Egypt; renewable for further 10 years with no limited number of renewals.
- H. If the registrant fails to apply for renewal during the (6) months following the expiry of the protection period, the subject trademark registration will be cancelled and removed from the Egyptian trademark registry.

✓ **Filing Requirements:**

- 1- A duly signed Power of Attorney (POA) which must be legalized up to the Egyptian Consulate at your end, noting that it can be lately submitted within **60 days** as of the filing date at no extra fees.
- 2- A certified copy of the priority document (if claimed); with no need to be legalized, noting that it can be lately submitted within **60 days** as of the filing date at no extra fees.

✓ **Total Charges** (including all official fees):

Our total costs (*professional & official fees inclusive*) for filing new TM application in Egypt covering only **one class**, up to registration are **USD 330.00**; detailed as follows:

Item	Costs in USD
Filing new TM application in one class	230.00
Publication on the TM Official Gazette	50.00
Registration Fees	50.00
<b>Total</b>	<b>USD 330.00</b>

For any simultaneous application (*i.e. the same mark in each further class*) our total costs for the same are **USD 300.00**; detailed as follows:

Item	Costs in USD
Filing new TM application in one class	220.00
Publication on the TM Official Gazette	40.00
Registration Fees	40.00
<b>Total</b>	<b>USD 300.00</b>

- ❖ Conducting an availability TM search at the Egyptian TM Office for one mark in one single class totally costs (*official fees inclusive*) **USD 120.00**; and for each further class costs **USD 100.00**.
- ❖ The normal time frame for search results to be revealed is 10-13 working days, and we always do our best to receive the same earlier as much as possible.

- ❖ The registration process of a trade/service mark may take **18 to 24 months** as of the filing date in normal cases.
- ❖ Protection of a trademark registration is valid for **10 years** from the filing date and is renewable for similar periods. A renewal application can be filed within the last year of the protection period or within three months grace period after the expiry of the protection with an extra charge.

## Emirates (UAE)

The first Federal Trademark Law No. 37 covering the seven UAE Member states (Abu-Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain, Ras Al Khaimah and Fujairah) was issued in the year 1992. The first trademark filed under this Law was in early 1993. In the year 2002, The Federal Law No. 8 was issued amending the previous Federal Law No. 37. However, the implementing regulations issued for the Law No. 37 in 1992 are still the applicable bylaws as no regulations were issued later.

The 9th edition of the International Nice Classification of Goods and Services for the Registration of Marks is the adopted classification in the UAE. According to the UAE trademark system, separate application should be filed for each class of goods or services.

Stating international class heading in addition to the goods/services of the applicant's interest will provide the broadest protection.

### ✓ **Filing Procedures:**

A filed trademark application is subject for examination on the registrability and prior rights bases. Once an application is accepted, it will be published in the Trademark Journal and in two local newspapers for opposition purposes. Opposition period of 30 days will be permitted to file an opposition by any third party. If no opposition is reported, the final registration fees will become due for payment. The certificate of registration will be due for issuance upon settlement of the registration fees.

As per the UAE Trademark Law, the mark should be used within 5 years from the registration date. However, use of a trademark is not compulsory for keeping the registration in force. But non-use of the registration will expose it for cancellation. As per the law, any interested party may apply for cancellation of a trademark registration, in case of failure to use the trademark by the owner in the UAE for five consecutive years from the date of registration.

A registered trademark can be assigned/pledged/licensed. The recordal applications should be published in the Trademark Journal as well as in two local newspapers.

Amendment of the applicant's name, address and/or list of goods/services can be filed. Publication of the amendment is required as stated in the law and bylaws. Amendment to the registered mark can be filed provided that the amendment is not essential.

The registration process of a trade/service mark may take 8 to 12 months from the filing date in the normal cases. However, in case of appeals/oppositions, the registration process will take longer time and may reach from 24 to 30 months.

Protection of a trademark registration is valid for 10 years from the filing date and is renewable for similar periods. A renewal application can be filed within the last year of the protection period or within three months grace period after the expiry of the protection with an extra charge.

✓ **Filing Requirement:**

- 1- A duly signed Power of Attorney (POA) which must be legalized up to the UAE Consulate at your end, noting that it can be lately submitted within **60 days** as of the filing date at no extra fees.
- 2- A certified copy of the priority document (if claimed); with no need to be legalized.

*Note: These documents are to be submitted at the UAE TM Office with the filing application.*

✓ **Total Charges:**

A new ministerial decree No. 19 for 2015 issued by the UAE Cabinet increasing the official fees to be doubled on the services provided by the Ministry of Economy including the Intellectual/Industrial property registration (Trademarks, Patents, Industrial Designs and copyright).

Our total charges (*professional & official fees inclusive*) for filing one TM application in UAE covering one single class up to registration are **USD 3,950.00**; detailed as follows:

Item	Costs in USD
Filing new TM application in one class	550.00
Publication on the TM Journal	250.00
Publication on two local news papers	250.00
Registration Fees	2900.00
<b>Total</b>	<b>USD 3,950.00</b>

\* **Supplementary Charges:**

- Local attestation of the Power of Attorney: ranging between USD 50.00 to USD 600.00 depending on the amount charged by the UAE Consulate.
- Certified Arabic translation of the Power Of Attorney USD 30.00 per page.
- Arabic translation of priority document USD 20.00 per page (if any).
- Claiming priority USD 50.00 (if any).

## Jordan

There has been a recent update to the provisions of Trademark Law in Jordan in 1999, lead to the rise of the Jordanian TM Law no. 34 to the year 1999 which had been issued on the official gazette issue no. 4389 of 01.01.1999.

Pursuant to the referred law, the Trademark in Jordan is registerable for 10 years renewable for further 10-year periods with the ability to lately renew the same within a grace period of 1 year after its expiry; otherwise the TM shall be cancelled from the TM Registry.

The 9th edition of the International Nice Classification of Goods and Services for the Registration of Marks is the adopted classification in Jordan.

Stating international class heading in addition to the goods/services of the applicant's interest will provide a broadest protection.

### ✓ **Filing Procedures:**

A filed trademark application is subject for examination on the registrability and prior rights bases. Once an application is accepted, it will be published in the official gazette for opposition purposes. Opposition period of 90 days will be permitted to file an opposition by any third party. If no opposition is reported, the final registration fees will become due for payment. The certificate of registration will be due for issuance upon settlement of the registration fees.

As per the UAE Trademark Law, the mark should be used within 3 years from the registration date. However, use of a trademark is not compulsory for keeping the registration in force. But non-use of the registration will expose it for cancellation. As per the law, any interested party may apply for cancellation of a trademark registration, in case of failure to use the trademark by the owner in Jordan for **three consecutive years** from the date of registration.

A registered trademark can be assigned/pledged/licensed. The recordal applications should be published in the Trademark official gazette in order to be effective against third parties.

Amendment of the applicant's name, address and/or list of goods/services can be filed. Publication of the amendment is required as stated in the law and bylaws.

### ✓ **Filing Requirements:**

- 1- A duly signed Power of Attorney (POA) which must be legalized up to the Jordanian Consulate at your end.
- 2- A certified copy of the priority document (if claimed); with no need to be legalized.

### ✓ **Total Charges:**

Our total costs (*professional & official fees inclusive*) for filing one TM application in JORDAN covering only one class, up to registration are **USD 990.00**; detailed as follows:

Item	Costs in USD
Filing new TM application in one class	400.00
Publication on the TM Journal	140.00
Registration Fees	450.00
<b>Total</b>	<b>USD 990.00</b>

For any simultaneous application (i.e. the same mark in each further class) our total costs for the same are the same: **USD 990.00**; detailed as follows:

**-- End of Report --**

*Thanks for your confidence in our services*



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