

Minister of Economy and Trade

Decision of the Minister of Economy and Trade No. (79) for the year 2022 AD

After looking at:

- The Interim Constitutional Declaration issued on August 13, 2011 AD and its amendments.
- The Law of the State's Financial System, the Budget, Accounts and Warehouse Regulations and their amendments.
- Law No. (9) of 2000 AD regulating transit trade and free zones, and its executive regulations.
- Law No. (9) of 2010 AD regarding the encouragement of investment, and its executive regulations.
- Law No. (12) of 2010 AD regarding the issuance of labor relations and its executive regulations.
- Law No. (23) of 2010 AD regarding commercial activity.
- Parliament Resolution No. (1) for the year 2021 AD regarding granting confidence to the government of national unity.
- Cabinet Resolution No. (187) of 2012, issuing the executive regulations for the commercial registry.
- Cabinet Resolution No. (188) for the year 2012 AD, issuing the executive regulations for Book Eight of the Commercial Activity Law Regulating Import and Export.
- Cabinet Resolution No. (235) of 2021 AD regarding the approval of the organizational structure and the functions of the Ministry of Economy and Trade and the organization of its administrative body.
- The decision of the Minister of Economy and Trade No. (14) of 2022 AD, regarding the issuance of the internal organization of the Ministry of Economy and Trade.
- And what is presented by the Undersecretary of the Ministry of Economy and Trade for Commercial Affairs.

Decided

Article No. (1)

Based on the provisions of Articles (1228 - 1229 - 1231 - 1232 - 1234 - 1235 - 1243) of Book Ten of the Commercial Activity Law, regarding trademarks and commercial data, trademarks are registered according to the following:

For national industrial or service companies that have already been established, or that are established for the production of products and goods, and the provision of various services.

Well-known marks are protected by the force of Article 1235 of the Commercial Activity Law, even without legal filing.

Pursuant to the provisions of Article No. (1243) of the Commercial Activity Law, a person who has filed an application to register a trademark in one of the member states of the World Intellectual Property Organization may submit a similar application related to the same trademark to the Trademark Office at the Ministry of Economy and Commerce.

It is also permissible for the person to whom the rights of the applicant (the trademark owner) have devolved, by virtue of a special power of attorney for registering the trademark only, to apply for its registration. Or carrying out an economic activity based on the registration of the mark.

Article No. (2)

In order for any national company to obtain the right of concession on the goods, or to imprison them, or to take measures to seize them, or to carry out an economic activity based on the registration of any trademark, it is required that it first conclude a commercial agency contract with the owner of the trademark, and register the agency with the Ministry of Economy and Commerce by virtue of a decision issued From the Minister of Economy and Trade.

Article No. (3)

It shall come into force from the date of its issuance, and the concerned authorities shall abide by its provisions.

Mohammed Al-Hweij

Minister of Economy and Trade