

EGYPT

Intellectual Property Implementing Regulation

Council of Ministers Resolution No. 1366 of 2003

ENTRY INTO FORCE: August 17, 2003

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BOOK ONE Patents and Utility Models, Layout-Designs for Integrated Circuits, and Undisclosed Information

Part I Patents and Utility Models

Article 1

For the application of the provisions of this Part, the following terms and expressions shall have the meaning here-below attributed to each, unless otherwise provided:

- (a) Law: Law No. 82 of 2002 on the Protection of Intellectual Property Rights.
- (b) Regulations: Implementing Regulations for Law No. 82 of 2002 on the Protection of Intellectual Property Rights.
- (c) Office: Office for Patents and Utility Models.
- (d) Patent: Patent for invention or patent for utility model.
- (e) Patent Register: Register established by the Office, in which patent applications and related decisions and acts are recorded.
- (f) Gazette: Patent and utility model gazette issued by the Office for the publication of accepted applications, related issued decisions and related acts.
- (g) Committee: Appeal Committee provided for by Article 36 of Law No. 82 of 2002 on the Protection of Intellectual Property Rights.

Article 2

Applications for patents and utility models shall be filed with the Patent Office on the form established to that effect.

On filing an application, a fee shall be payable as indicated under the corresponding category of the schedule attached to these Regulations. Applications filed by students registered with educational institutes, regardless of the grade level of the institute, shall be exempt from such fee.

Article 3

The patent application shall be accompanied by

1. A fully detailed description, in Arabic, of the invention or utility model, prepared in a clear manner, using correct technical terms, including a statement on prior art and shortcomings therein, the novel element in the invention or utility model and the best way known by the inventor, to enable a person of expertise to execute it, showing also, in a precise and clear manner, the new elements for which protection is sought, and indicating any chemical equations or formulae or illustrative drawings.

The applicant shall furnish, on the form established to that effect, full data and information on applications filed abroad for the same invention or utility model or any relevant information, the fate of such applications, and resulting decisions.

2. An abstract describing the invention or utility model in the Arabic and English languages, with chemical formulae, if any, using the form established to that effect.

3. Where the application relates to an invention or utility model involving plant or animal biological material, traditional medicinal, agricultural, industrial or handicraft knowledge, or cultural or environmental heritage, it shall be accompanied by documentation proving that the inventor has accessed the source from which the material was obtained in a legitimate manner, according to the legislation applicable in the Arab Republic of Egypt.

4. Where the invention involves microorganisms, the applicant shall disclose such organisms according to conventional scientific rules, including all necessary information for the identification of the nature, characteristics and uses of such organisms, shall deposit a live culture thereof with a laboratory authorized by decision of the competent minister for scientific research affairs, and shall furnish a certificate to the effect that such deposit was made.

5. Where the applicant is a legal entity, an extract from the commercial register or an official copy of the constitution act or decision shall be furnished.

6. Documentation establishing the quality of the applicant.

7. Documentation establishing, where applicable, the assignment by the right holder of the invention or utility model.

8. Certificate of temporary protection for the invention or utility model, if any.

9. Receipt of payment of the application fees.

Article 4

Documentation mentioned under items 3, 4, 5, 6 and 7 of Article 3 of these

Regulations may be furnished within four months from the filing date of the application.

The Arabic translation of the document provided for by item 1 of the same Article, where furnished with the application in a foreign language, may be furnished within six months from the same date.

If the documents provided for by the first paragraph are not furnished in due time, as the case may be, the application shall be considered as non-existent.

Article 5

Where, in the case provided for by Article 38 of the Law on the Protection of Intellectual Property Rights, the application is filed with the Patent Office of the Arab Republic of Egypt, the applicant shall furnish, in addition to the documentation provided for by Article 3 of these Regulations, an official copy of the detailed description of the invention or utility model, of the drawing thereof, if any, and any other documents filed together with the patent application filed with a foreign country or entity; any such documentation shall be authenticated by the industrial property authority of that country or entity, accompanied by a translation into the Arabic language and furnished with the application or within three months from the filing date of the application; failing which, the priority right shall lapse.

The date at which the application was first filed in a foreign country or entity shall be taken into account, for the determination of priority, upon fulfillment of the requirements therefor; the period of protection shall start from the date at which the application was filed in Egypt in accordance with Articles 9 and 30 of the mentioned Law.

Article 6

Applications for patents and utility models shall be allotted serial numbers according to the date and time of receipt, starting from the first of January of each year. The applicant shall be given a receipt indicating the serial number of the application, which shall be, together with annexes, sealed with the seal of the Office; the serial number and date and time of receipt shall be marked on the application.

Article 7

Applications shall be recorded in the Patent Register which shall contain the following data:

1. Serial number of the application.
2. Date and time of receipt of the application.

3. Name of the inventor.
4. Name, surname and address of the applicant, or, if the applicant is a legal entity, name and address of that entity, and an address for service.
5. Name and surname of the agent, if any.
6. Where the application for a patent or utility model was filed according to the provisions of Article 38 of the Law, name of the foreign entity or country with which the application was filed and the filing date of the application.
7. Acts relating to the patent application.
8. Date at which the decision granting the patent for the invention or utility model, was issued, the patent number, and the name of the right holder.
9. Acts and procedures relating to the ownership or right of exploitation, of the patent.
10. Actions of seizure carried out in relation with the patent.

Article 8

An alphabetical index of the applications received by the Office shall be established and shall contain an indication of the name of the applicant, name of the inventor, title of the invention or utility model, serial number of the application and date and time of receipt. The confidentiality of the application and its annexes shall be maintained until the acceptance of the application is published after, at least, one year from the date of receipt.

The index shall be made available to the public at the Library of the Patent Office.

Article 9

The description of the invention or utility model shall contain only such chemical equations or the like as necessary.

Where required for the clarity of the description of the invention or utility model, a diagram shall be made on a sheet in accordance with the following Articles and shall accompany that description.

Article 10

The drawing of the invention or utility model shall be executed on clear, white, strong and smooth drawing sheets, of good quality and medium thickness, without any coloring and capable of being clearly reproduced by photography or the like.

Article 11

The size of the sheets used shall be 21 cm x 29.5 cm, and all margins shall be 2.5 cm.

Consecutive numbers shall be allotted to different figures of the drawing of the invention, and sufficient space shall separate a figure from another. If necessary, more than one sheet may be used for the drawing of the invention.

Article 12

In the execution of the drawings of the invention or utility model, the following rules shall be complied with:

1. Dark black ink shall be used for the lines of the drawing.
2. Lines shall be apparent and uniformly thick.
3. A minimum of hatching and shade lines shall be used without any interlineation or overlapping that would cause confusion.
4. The thickness of the shade lines shall not be significantly different from that of the main lines.
5. Parts or shades of the drawing shall not be emphasized in bold or by colorings.
6. The scale of the drawing shall be sufficient to show the invention or utility model in a clear manner; the drawing shall show such parts of the invention or utility model that would accomplish such purpose; The scale of the drawing of the invention or utility model shall be determined in numbers.
7. The title of the invention or utility model or parts thereof shall not appear in the drawing itself.
8. Figures shall be executed in an upright position with respect to the drawing sheet.
9. Letters and numbers used to indicate parts of the drawing shall be placed in a clear manner; their height shall not be less than 3 mm; the same letters and numbers shall be used in the different positions of the drawing; thin arrows shall be used to connect any letters or numbers appearing outside the drawing to the corresponding parts of the drawing. Such letters and numbers shall be identical to those used in the detailed description of the invention or utility model.
10. The drawing sheet shall not be folded; it shall be free from creases and cracks so as to admit reproduction by photography or the like.

Article 13

The following data shall be indicated on the drawing sheet:

1. Word "original".

2. Name of the applicant.
3. Number of sheets containing the drawing and the consecutive number of each sheet.
4. Serial number and date and time of receipt, of the application.
5. The signature of the applicant or agent.

Such data shall be presented, according to their order of succession, in a table to the bottom right of the drawing sheet.

Article 14

When necessary, the Office may require that the applicant furnishes, as the case may be, two samples or models of the invention or utility model.

Article 15

The Office may require that the applicant for a patent for an invention or utility model for chemical products relating to foodstuff, pharmaceuticals and agriculture furnishes two samples of such products. The applicant shall establish a list of the samples and their nature, which shall be included in or attached to, the detailed description. The applicant shall indicate, at the top of the detailed description of the invention or utility model, that such samples are furnished. The Office shall include such indication in the publication of the acceptance of the application, in the Gazette.

Article 16

Samples referred to under Article 15 of these Regulations shall be furnished in flasks of a maximum height of 8 cm and external diameter 4 cm. The flasks shall be tightly sealed with red wax and labeled with a card indicating the relationship between the sample and production referred to in the description of the invention. Such card shall be affixed to or suspended on the flask; in which case, it shall have a length not exceeding 10 cm and width 8 cm.

Article 17

If the invention relates to a colorant, a sample thereof shall be furnished in accordance with Articles 15 and 16 of these Regulations. Such sample shall be accompanied by specimens of products printed or colored by that colorant. Such specimens shall have, to the extent possible, an even surface, and shall be fixed on cards of 33 cm x 21 cm. Such cards shall contain a detailed statement describing the printing or dyeing process and, particularly, the composition of various solutions, degree of concentration, temperature, time required for each process, and capacity

of color absorption by the dye. The said cards shall also indicate the percentage of colorant fixed in the dyed material, the composition of the printing paste, and a statement indicating the relation between the colorant used for printing or dyeing, and the relevant particulars in the description of the invention or utility model.

Where the sample contains toxic, caustic, explosive or inflammable substance, an indication to that effect shall be made on the label.

Article 18

If the Patent Office finds that the invention or utility model can be exploited in a prejudicial manner to national security, in contradiction with public order or morality, or in causing serious damage to the environment or damage to the life or health of humans, animals or plants, the decision by the Office to accept the application shall be subject to a waiver by the person concerned to use the invention in any such sort of exploitation.

Article 19

The Office shall notify the applicant or agent, by registered mail with acknowledgement of receipt, of any reasoned decision requiring amendments or complements to the application.

If the applicant fails to make the required amendments or complements within three months from the date of notification, the application shall be considered as withdrawn.

Article 20

The applicant may appeal against the decision of the Office before the committee provided for by Article 36 of the Law, within thirty days from the date of notification of the decision, against payment of the fee fixed in the schedule attached to these Regulations. The appeal shall be made, in two copies, using the form established to that effect.

The Office shall notify, by registered mail with acknowledgement of receipt, the person making the appeal, of the date at which the committee will be convened to consider the appeal, and summon that person to attend the hearing of the committee. Such notification must be received, at least seven days, before the date of the hearing.

A representative of the Office may attend the hearing convened for the consideration of the appeal, and shall be entitled to respond to the objections made by the person making the appeal.

The person making the appeal shall be notified, by registered mail with acknowledgement of receipt, of the decision made by the committee with

the reasons therefor.

Article 21

The applicant may introduce amendments to the application before the acceptance of the application is made public, provided that:

1. If the application is based on Article 38 of the Law, the amendment shall not go beyond the subject-matter of the precedence.
2. The modification shall not affect the subject-matter of the invention or utility model, in the fully detailed description, technical problem, new elements for which protection is sought or drawings and chemical equations.

Article 22

Subject to Article 17 of the Law, the Office shall, upon acceptance of the application,

I. Publish the application in the Gazette, within ninety days from the date of issuance of the acceptance decision, provided that such publication includes:

1. Name, nationality and occupation of the applicant and, where the applicant is a legal entity, name, address and headquarters, and nature and purpose of establishment.
2. Name, surname, nationality and occupation of the inventor.
3. Title of the invention or utility model.
4. Where the application is based on Article 38 of the Law, date at which the application was filed abroad.
5. Serial number of the application.

II. Enable any person in the public, who so wishes, to access, in the Office, the file of the patent or utility model, containing the application, description, drawing and relating samples, of the invention, and all relating documentation and recordings in the Register. Any person may obtain a copy of the above against payment of the fee fixed in the fee schedule attached to these Regulations.

If the invention relates to microorganisms, a sample shall be given, throughout the period of protection, to the person of the public, who so wishes, only if the following conditions are satisfied:

1. That person shall have the capacity to store such microorganisms.
2. The purpose of obtaining the sample shall be use in research and development activities or experiments.
3. That person shall not leak such microorganism to third parties.

The preceding conditions shall not limit the grant of a sample of the microorganism to a beneficiary of a non-voluntary license.

III. Notify the applicant, by registered mail with acknowledgement of receipt, within three months from the date of publication of the acceptance of the application, that the applicant shall furnish, at the applicant's expense, within a period not exceeding three months from the date of notification, five copies of the fully detailed description and five copies of the abstract describing the invention or utility model, in a manner acceptable by the Office; failing which, the application shall be considered as non-existent.

IV. Deposit, with the Library of the Patent Office, one printed copy of the fully detailed description and one of the abstract describing the invention or utility model.

Article 23

Opposition to the grant of a patent shall be made, within sixty days from the date of publication of the acceptance of the application in the Gazette, by a notification addressed to the Office in two copies, using the form established to that effect. An opposition shall be acceptable only upon payment of the fee fixed in the schedule attached to these Regulations. If the opposition is accepted, such fee shall be reimbursed.

Article 24

The Office shall communicate, by registered mail with acknowledgement of receipt, within seven days from the date of opposition, a copy of the opposition to the applicant.

The applicant may respond to the opposition within fifteen days from the date of communication. The response shall be submitted to the Office, in two copies, using the form established to that effect.

The Office shall send to the opposing party, by registered mail with acknowledgement of receipt, a copy of the response, within seven days from the date of receipt by the Office of the response.

Article 25

A hearing shall be fixed by the chairman of the committee provided for by Article 36 of the Law, for that committee to consider the opposition. The applicant and the opposing party shall be informed, by registered mail with acknowledgement of receipt, of the date of such hearing at least ten days before such date.

Article 26

Where the committee decides to designate an expert, such decision shall contain:

- (1) Precise statement of the mandate of the expert.
- (2) Deadline for the submission of the expert report.
- (3) Date of the hearing during which the report will be discussed.

Article 27

If the expert is a government officer or employee of a governmental authority, the committee shall inform such expert of the designation decision through the authority with which the expert is attached. If the expert is not such an officer or employee, that expert shall be informed by registered mail with acknowledgement of receipt.

Article 28

If the opposing and responding parties agree on the designation of an expert, the committee shall approve such designation.

Article 29

The Office shall notify the opposing and responding parties, by registered mail with acknowledgement of receipt, of the decision rendered regarding the opposition and reasons therefor, within ten days from the date at which such decision is rendered.

Article 30

If no opposition is made against the grant of a patent or an opposition was made and a decision refusing the opposition is rendered, the Office shall proceed with the grant of the patent.

Article 31

If the applicant assigns, in whole or in part, prior to the grant of the patent, the right in the patent, the assignee may request from the Office that the patent be issued, as the case may be, in the name of the assignee or jointly with third parties.

The request shall be made on the form established to that effect and accompanied by the assignment act or a true copy thereof.

In all cases, the invention shall be attributed to the inventor.

Article 32

The decision granting the patent shall contain the following data:

1. Patent number.
2. Name of the inventor.
3. Name, nationality and domicile or, where the patent owner is a legal entity, name, address and headquarters, of the patent owner.

4. Title of the invention or utility model.
5. Period, starting date and expiration date of protection.
6. Particulars relating to precedence.

Article 33

The decision granting the patent for an invention or utility model shall be published in the Gazette.

Such decision shall be recorded in the Register which shall include the data provided for by Article 32 of these Regulations.

Article 34

A progressive annual fee shall be paid as of the second year until the expiration of the patent protection period, as indicated under the corresponding category in the schedule attached to these Regulations. The Office shall notify the person concerned, by registered mail with acknowledgement of receipt, thirty days before the due date for the payment of the annual fees, of that date. If the applicant fails to pay in due date, a surcharge shall be imposed, amounting to seven percent of such fees, to be calculated as of the day following the due date. Failure to pay annual fees or surcharges for a period of one year from due date shall cause the rights conferred by patents for inventions or utility models to lapse and fall into the public domain.

The notification referred to in the preceding paragraph shall be made at the most recent addressed communicated to the Office by the person concerned.

Article 35

The annual fee shall be reduced to 10% of the prescribed fee for students registered with educational institutes, regardless of the grade level of the institute, and half for individuals and individual establishments with a maximum staff of ten persons.

Article 36

A request for a non-voluntary license for the exploitation of an invention or utility model shall be submitted, in application of the provisions of the Law, to the Office, on the form established to that effect.

Article 37

A Secretariat shall be established, by decision of the President of the Academy for Scientific Research and Technology, within the Office, and shall be responsible for receiving requests for issuing or obtaining

non-voluntary licenses, recording such requests in a special register according to the date of receipt, and processing such requests for consideration by the Office.

Article 38

The Office shall examine non-voluntary license requests to verify whether formal and substantive conditions are complied with, and shall transmit to the ministerial committee provided for by Article 23 of the Law, by virtue of a notice accompanied by an opinion, such requests as it finds acceptable for issuing non-voluntary licenses.

Article 39

In the case provided for by Article 23(iii) of the Law, the grant of a non-voluntary license shall require that the applicant proves that negotiations with the patent holder have been held for a reasonable period of time and serious attempts have been made to obtain a voluntary license under appropriate conditions.

In the appreciation of the extent to which conditions are appropriate, the following shall be taken into account:

1. Nature of the invention.
2. Remaining period of the prescribed period of protection.
3. Remuneration offered for the voluntary license.

Article 40

A non-voluntary license shall be granted only to a person capable of seriously exploiting the invention through an establishment carrying out activities in the Arab Republic of Egypt, within the scope and period and under the conditions, fixed by the decision granting the license.

Article 41

The holder of a patent in respect of which a non-voluntary license is granted shall be entitled to a fair remuneration for the exploitation of the patented invention, which shall be evaluated by an ad hoc committee to be formed by decision of the President of the Academy of Scientific Research and Technology. In the appreciation of the remuneration, the committee shall take into account, in particular, the following:

1. Remaining period of the period of protection.
2. Volume and value of the licensed production.
3. Ratio of the price of the product to the average gross per capita income.
4. Volume of investment required for market studies.
5. Volume of investment required for production.

6. Availability of similar products in the market.

7. Prejudice caused by abusive or anti-competitive practices by the patent holder.

The appreciation, by the committee, of the remuneration, shall be submitted to the ministerial committee referred to under Article 23 of the Law, to decide, in application of the provisions of that Article, for the purposes of the non-voluntary license to be issued, on the economic rights of the patent holder.

Article 42

The Office shall notify the patent holder of the decision granting the non-voluntary license and the decision appreciating the remuneration. Such notification shall be made, by registered mail with acknowledgement of receipt, promptly in cases under Article 23(1)(i) and (iii) and (2) and as soon as reasonably practicable in cases under Article 23(1)(ii).

Article 43

The patent holder may appeal, before the committee provided for by Article 36 of the Law, against the decision by the Office to grant a non-voluntary license to a third party or the decision appreciating the remuneration, within thirty days from the date at which the patent holder is notified of the decision granting the non-voluntary license or appreciating the remuneration.

The appeal shall be made using the form established to that effect. The Office shall notify the person making the appeal, seven days before the date of the hearing which will be held to consider the appeal, of the date of that hearing, and summon that person to attend the hearing; it shall also notify the said person of the decision rendered regarding the appeal. In all cases, notification shall be made by registered mail with acknowledgement of receipt.

Article 44

The Office shall publish, in the Gazette, the decision revoking the patent in application of the provision of Article 23(5) of the Law. Any person concerned may challenge, within thirty days from the date of publication, such decision before the committee provided for by Article 36 of the Law. The challenge shall be made using the form established to that effect. The procedure and time-limits applicable under Article 43 of these Regulations shall apply with respect to the notification to the challenging person of the date of the hearing of the committee which will consider the challenge and the decision rendered by that committee.

Article 45

Transfer of ownership, mortgage, determination of usufruct or seizure, of patents shall be published in the Gazette. An indication to that effect and to the minutes of the auction, if any, shall be made in the Patent Register upon a request to be made by the person concerned using the form established to that effect, and accompanied by supporting documentation.

Article 46

The same criteria as those provided for by Article 41 these Regulations shall be used for the appreciation of the fair remuneration on the basis of the prevailing economic value at the time when the decision of expropriating the patent is issued in the cases provided for by Article 25 of the Law.

Article 47

Patents in respect of which the rights of the holders have lapsed in application of Article 26 of the Law shall be published in the Gazette. Publication shall include the serial number of the patent, and the date when and reason for which rights of the holders have lapsed. An indication to that effect and to the minutes of the auction, if any, shall be made in the Patent Register.

Article 48

A person concerned may request from the Office, using the form established to that effect, that an indication of the following data be made in the Register:

1. Any change in the name, surname, nationality, occupation or address of the patent owner; if the owner is a legal entity, such owner may request the recording of any change in the name, nationality, address and nature, and purpose of establishment or headquarters, of the legal entity.
2. Any change in the address for service.

Article 49

The holder of an invention or utility model, who wishes to benefit from temporary protection for the invention when displayed in a national exhibition held in Egypt or an international exhibition, in accordance with Article 3(ii), second paragraph, of the Law, shall notify the Office of such wish, prior to the display. The notification shall be made on the form established to that effect and shall be accompanied by a brief statement of the description and drawing of the invention. The Office

may require from the applicant to furnish such other indications as it deems necessary to understand the elements or purpose of the invention or utility model.

Article 50

Notifications referred to under Article 49 of these Regulations shall be recorded in a register held by the Office, containing the following data:

1. Date at which the notification was made.
2. Name of the person making the display.
3. Title, venue, official opening date and duration, of the exhibition.
4. A denomination indicating the subject-matter of the invention or utility model.
5. Date at which the invention or utility model is to be displayed at the exhibition.

Article 51

If the procedure and indications provided for by Articles 49 and 50 of these Regulations, are completed, the Office shall grant the holder of the invention or utility model a certificate of temporary protection for the invention, which shall guaranty the possibility to file an application for a patent within a maximum period of six months from the date at which the invention or utility model has entered the exhibition.

Article 52

A person concerned may appoint an agent to file a patent application or make the notification for opposing the grant of a patent or any procedure provided for under Book One, Part I, of the Law or these Regulations. If the person concerned or agent is not a resident in the Arab Republic of Egypt, an Egyptian patent agent shall be appointed, to whom all notifications, documentation and submissions provided for under the Law or these Regulations shall be sent.

In all cases, the power of attorney shall be special, authenticated and maintained with the Office together with the relevant documentation.

Article 53

If, upon filing the application with the Patent Office of the Arab Republic of Egypt, the person concerned wishes to obtain, abroad, a patent for the same invention or utility model, such person may obtain from the Office a certificate to the effect that an application was filed with it. Such certificate shall contain an indication of the purpose for which

the certificate was delivered, accompanied by a copy of the application and its annexes. The Office may, before delivering the certificate, require from the applicant to furnish a true copy of the annexes of the application.

Article 54

In the case where a patent is lost or destroyed, the owner may request from the Office, using the form established to that effect, that a true copy be delivered.

Article 55

The patent holder may request from the Office, using the form established to that effect, that a material error in the patent application, description of the invention or utility model, decision granting the patent, or any other indication made in the Patent Register, be corrected.

Article 56

A library shall be attached to the Patent Office and contain studies, works and publications on intellectual property matters relating to the work of the Office; those relating to various sciences, arts and skills; and descriptions of inventions and utility models for which patents were issued by foreign countries and acquired through exchange.

Documentation and indexes to be made available to the public shall be deposited with the library.

All the forgoing elements shall be accessible by the public.

Article 57

The Office shall issue a monthly Gazette entitled "Patent and Utility model Gazette", in which indications the publication of which is prescribed by the Law and these Regulations shall be published. The Office shall also issue, in the first month of each year:

1. A bulletin containing brief statements describing inventions and utility models for which patents were issued in the preceding year.
2. A bulletin containing the names of the persons who obtained patents in the preceding year, arranged in alphabetical order.
3. A bulletin containing the patents numbers for inventions and utility models, issued in the preceding year, with an indication of the subject-matter of each patent, according to the technical classification of inventions and utility models, applied by the Office.

Article 58

The competent Minister for scientific Research Affairs, on a proposal

by the President of the Academy of Scientific Research and Technology and in conformity with the legal provisions prescribed with respect to the two members of the Judiciary, issue a decision forming the appeal committee provided for by Article 36 of the Law.

Appointment of the chairman and members shall be for a renewable period of one year. The decision shall include the financial treatment fixed for the chairman and members of the Committee and the constitution of a technical secretariat which shall be responsible for the processing of appeal files brought before it, including annexed submissions and documentation, and the minutes of the hearings of the Committee, and the execution of the decisions rendered by it.

Article 59

The appeal shall be brought before the Committee referred to under Article 58 of these Regulations, on the form established to that effect, against payment of the fee fixed in the schedule attached to these Regulations.

Article 60

The chairman of the Committee shall fix the hearing during which the appeal is to be considered. The number of hearings held by the Committee shall be, at least two per month. A hearing may be held in the absence of an expert member of the Committee.

The notification of the person making the appeal of the fixed hearing shall be addressed to that person or the agent or by registered mail with acknowledgement of receipt, at the address indicated in the appeal or, if no such address is indicated in the appeal, the address indicated in the file.

If the person making the appeal fails to attend two consecutive hearings, despite a legally made notification, the Committee shall deem the appeal as non-existent; in which case, that person shall not be entitled to file a new appeal.

The Committee may invite any person having expertise in the art to express an opinion regarding appeals brought before it, without the right to vote in the deliberations.

The Committee shall render its decisions upon hearing the person making the appeal and the representative of the Office, by absolute majority; In case of equal votes, the vote of the chairman shall prevail.

Part II Layout-Designs for Integrated Circuits (Omitted)

Part III Undisclosed Information (Omitted)

Schedule for Patents for Inventions and Utility Models, and Layout Designs for Integrated Circuits

Type of Service	Fee in Egyptian Pounds
Application to obtain a patent for an invention	150 per application
Application to obtain a patent for a utility model	100 per application
Application to register a layout design for an integrated circuit	1,000 per application
Access to or obtaining a true copy of, a patent application	100
Appeal before the committee provided for by Article 36 of the Law	250
Request for objecting the grant of a patent	500

Stamp value to be added, according to the legislation on stamps.

Applications filed by students of any kind of educational institutes shall be exempt of such fees.

Schedule for Annual Progressive Fee, starting from the Second Year from the Filing Date of the Application until the Expiration of the Period of Protection

Due Date	Fee in Egyptian Pounds
Beginning of first year	20
Beginning of second year	40
Beginning of third year	80
Beginning of fourth year	100
Beginning of fifth year	150
Beginning of sixth year	200
Beginning of seventh year	250
Beginning of eighth year	300
Beginning of ninth year	350
Beginning of tenth year	400
Beginning of eleventh year	500
Beginning of twelfth year	600
Beginning of thirteenth year	700
Beginning of fourteenth year	800
Beginning of fifteenth year	900
Beginning of sixteenth year	1,000
Beginning of seventeenth year	1,000
Beginning of eighteenth year	1,000
Beginning of nineteenth year	1,000
Beginning of twentieth year	1,000

Stamp value to be added, according to the legislation on stamps.

1 The period of protection shall be seven years for utility model patents

and twenty years for invention patents.

2 The annual fee shall be reduced to 10% for students.

3 The annual fee shall be reduced to half for individuals or establishments with a maximum staff of ten persons.

4 A surcharge of 7% shall be due for each year of delay.

BOOK TWO Marks, Tradenames, Geographical Indications and Industrial Designs

Article 69 Definitions

For the application of the provisions of this Book, the following terms and expressions shall have the meaning here-below attributed to each:

1. Law: Law No. 82 of 2002 on the Protection of Intellectual Property Rights.
2. Department: Department of Trade Registry.
3. Authority: General Authority for Trademarks and Industrial Designs.
4. Gazette: Trade mark and Industrial Design Gazette.

Part I Marks, Tradenames and Geographical Indications

Article 70

The Department of Trade Registry - General Authority for Trademarks and Industrial Designs - shall be competent for the registration, in the register established to that effect under the provisions of the Law and these Regulations, of trademarks and related acts.

Article 71

An application for the registration of a trademark or request for making a related recording or modification shall be filed, using the form established to that effect, with the General Authority for Trademarks and Industrial Designs, Department of Trade Registry, by the person concerned or a person representing that person concerned by virtue of a special power of attorney.

The registration application shall be filed with respect to one or more class or products. In all cases where the application is accepted, a single registration certificate shall be issued for that application.

An application shall be subject to a fee. Similarly, all other procedures related to a mark shall be subject to fees under the corresponding category of the schedule attached to these Regulations.

Article 72

The registration application shall be accompanied by:

1. Four copies of a picture of the mark, which shall be identical to the picture of the mark as in the application form for registration.
2. Name, quality, surname, nationality, address for service and, if any, elected domicile in the Arab Republic of Egypt, of the applicant; where the applicant is a legal entity, name and address for service of that entity; where the application is filed through the intermediary of an agent, name, surname, address and an authenticated power of attorney.
3. Mark in respect of which registration is applied for.
4. Indication of the products in respect of which the registration of the mark is applied for, with the number of class or classes to which such products belong.
5. Place where the commercial enterprise or exploitation project in respect of which the mark is or is to be used to distinguish the products thereof.
6. Where priority is claimed, documentation establishing that the applicant has filed an application with a country or entity member of the World Trade Organization or that applies reciprocity to Egypt.
7. Document delivered for securing temporary protection for the mark,

if any. Where furnished in a foreign language, documents provided for by this Article shall be accompanied by a translation into the Arabic language.

Article 73

Documents required under Article 72 of these Regulations shall be submitted within six months from the filing date of the application for registration; failing which, the application shall be considered as non-existent.

Article 74

An application for the registration of a mark shall enjoy the right to priority if the following conditions are complied with:

1. The earlier application must be filed with a country or entity that is member of the World Trade Organization or applies reciprocity to Egypt, in respect of priority rights.
2. The earlier application must be the first application filed for the registration of the mark in respect of the same products for which the application is filed in Egypt.
3. The Applicant must indicate the date at which the first application was filed.
4. A priority right must be claimed within six months from the filing date of the first application; failing which, such priority right shall lapse.

The date at which the first application was filed shall be taken into account for the determination of priority, upon fulfillment of the requirements therefor.

Article 75

Applications for registration shall be recorded in a special register with the Authority, arranged using serial numbers according to filing dates. The applicant shall be given a receipt which shall contain the following data:

1. Serial number of the application.
2. Name of the applicant.
3. Filing date and time of the application.

Article 76

A page of the trademark register shall be assigned for each registered mark and shall contain the following data:

1. Serial number and filing date of the application.
2. Date of registration of the mark.

3. Name, surname, nationality and elected domicile in the Arab Republic of Egypt, of the person in whose name the mark is registered.
4. Products in respect of which the mark is registered, with the number of class or classes to which such products belong.
5. Place where the commercial enterprise or exploitation project in respect of which the mark is or is to be used to distinguish the products thereof.
6. Requirements on the basis of which the mark was registered, if any.
7. Modifications or recordings made following registration.
8. Transfer of ownership, usufruct, or license.
9. Mortgage or termination of mortgage, of the mark, or renewal or cancellation of registration.
10. Seizure or termination of seizure relating to the mark.

Article 77

A mark shall be registered in the colors in which it was deposited. Where a mark is deposited without colors, the Authority may require from the applicant to indicate, prior to the publication of the acceptance of the application, the color or colors of the mark or any parts thereof.

Article 78

Any related marks, numbers and evidence of such relation with a mark shall be recorded in the page assigned to that mark.

Article 79

Identical or similar marks owned by the same person for products of identical or similar kind shall be considered as related marks.

Article 80

The Authority shall hold manual and electronic indexes arranged in alphabetical order and shall maintain various figurative elements of registered marks.

Article 81

In the case where serious doubts exist as to the correctness of data of or documentation annexed to, an application, the Head of the Department or person designated by the Head of the Department may invite the applicant or agent of the applicant, by a registered mail with acknowledgement of receipt, to be sent at the address for service indicated in the application, for discussion, either face-to-face or by indicated means, and summon the applicant or agent to furnish, within a period not exceeding three months from the date of the invitation, evidence proving the correctness

of those data or documentation.

Article 82

The Authority shall issue, in the first week of each month, a monthly gazette entitled "Gazette of Trademarks and Industrial Designs", in which it shall publish such information and drawings as prescribed for publication under the Law and these Regulations.

Article 83

The owner of a mark, who wishes to obtain temporary protection for that mark, in a national or international exhibition, according to the provision of Article 72 of the Law, shall notify the Authority of such a wish, prior to the display. Notification shall be made using the model established to that effect or contents of that model, and shall be accompanied by an illustrative drawing of the mark. The Authority may summon the owner to furnish such other indications relating to the mark as it finds necessary.

Article 84

Requests for temporary protection shall be recorded, in the manner provided for by Article 15 of these Regulations, in a register which shall contain the following data:

1. Date at which the request has been made.
2. Name of the person making the display.
3. Title, official opening date and duration, of the exhibition.
4. Products bearing the mark.
5. Date of entry of the products bearing the mark, to the exhibition.

Article 85

Where conditions and requirements provided for by Article 83 of these Regulations are complied with, the Authority shall grant the person making the request a certificate of temporary protection for the mark, which shall guaranty the possibility to file an application for the registration of the mark within a maximum period of six months from the date at which the products bearing the mark have entered the exhibition.

Article 86

Where a mark includes an element or indication devoid of any distinctive characteristic or consists of a mere generic name, drawing or picture of a product, the Head of the Department or person designated by the Head of the Department may require, for the acceptance of the registration, that that element or indication be waived.

Article 87

Prior to the publication of the acceptance of the registration, the Department may require from the applicant to furnish a cliché or a reproduced picture of the mark, fixed by such means as the Department deems appropriate. Where publication includes a group of marks, the Department shall require from the applicant to furnish, with respect to each of the marks of which the group or reproduction is composed, the cliché or reproduction referred to in the preceding paragraph.

Such cliché or reproduction shall comply with the conditions and requirements fixed by the Department, and be accompanied by three copies of the mark identical to the picture in the application form for registration.

The cliché or reproduction shall be maintained, for a period of one year; following which, it shall be returned, upon request, to the applicant, or, if no such request is made, destroyed by the Department.

Article 88

The decision accepting the application for the registration of a mark shall be published in the Gazette and shall contain the following data:

1. Name, surname, nationality and, if any, elected domicile in the Arab Republic of Egypt, of the applicant.
2. A true copy of the mark in respect of which registration is applied for.
3. Serial number and filing date of the application.
4. products in respect of which the registration of the mark is applied for, with the number of class or classes to which such products belong.
5. Place where the commercial enterprise or exploitation project in respect of which the mark is or is to be used to distinguish the products thereof.
6. Requirements by the Authority for the registration of a mark, if any.
7. Any other indications deemed necessary by the Department.

Article 89

Any person concerned may bring an opposition against a mark in a respect of which a decision of acceptance of the application has been published. Such opposition shall be submitted, within sixty days from the date of such publication, to the Head of the Department or person designated by the Head of the Department, in an original and a copy, using the form established to that effect or contents thereof, together with documentation establishing the quality of the person making the opposition and serious reasons for making such an opposition.

The Head of the Department or person designated by the Head of the Department shall communicate to the applicant, by registered mail with acknowledgement of receipt, within thirty days from the date of notification, a copy of the opposition.

Article 90

The applicant shall submit, to the Head of the Department or person designated by the Head of the Department, within thirty days from the date of communication of the opposition, in two copies, a written reasoned response; failing which, the application for the registration of the mark shall be deemed abandoned.

A copy of the response shall be communicated, by registered mail with acknowledgement of receipt, within ten days of receipt, to the person making the opposition.

Article 91

The Head of the Department or person designated by the Head of the Department, at the request of the applicant or person making the opposition, shall convene a single hearing for the parties to present their arguments, prior to rendering a decision, upon payment of the prescribed fee.

Article 92

The Department shall notify the parties, by registered mail with acknowledgement of receipt, of the decision rendered regarding the opposition, within ten days from the date at which the decision is rendered. Where a decision rejecting the opposition is rendered, the applicant shall be allowed ninety days from the date of notification of the decision, to complete the registration procedure; failing which, the application shall be deemed abandoned.

Article 93

If no opposition is made, within sixty days from the date of publication, against the registration of a mark, the Department shall notify the applicant, by registered mail with acknowledgement of receipt, within ten days from the date at which the decision accepting the application for the registration of the mark is issued, of that decision.

Article 94

Rejection of the registration of a mark or making such registration conditional shall be the subject of a reasoned decision rendered by the Head of the Department or person designated by the Head of the Department.

In all cases, the applicant or agent shall be notified of such decision, by registered mail with acknowledgement of receipt, within thirty days from the date at which the decision is rendered.

The notification shall include an indication of the right of the applicant to appeal before the committee referred to under Article 78 of the Law, with the time-limits and procedure for submitting the appeal.

Article 95

The committee referred to by Article 78 of the Law shall be constituted, taking into account that:

1. One member shall be expert in the subject-matter of the appeal.
2. Membership of the committee shall exclude the examiner of the mark subject of the appeal.

The committee shall consider the appeal in the presence of the Director General of the Authority or person designated by the Director General in order to respond to the objections of the person making the appeal. The committee shall render a reasoned decision regarding the appeal, whenever possible, within one year from the date of submission of the appeal.

The Department shall notify the person making the appeal, within fifteen days from the date at which the decision of the committee is rendered, of that decision. Notification shall be made by a registered mail with acknowledgement of receipt, to be sent at the most recent address for service indicated by that person before the committee.

Article 96

The appeal shall be submitted, in two copies, using the model established to that effect or contents thereof. The Department shall notify the person making the appeal of the date of the hearing fixed for the consideration of the appeal and summon that person to attend the hearing and submit any evidence or documentation supporting the appeal.

Notification shall be made, by registered mail with acknowledgement of receipt, at least fifteen days prior to the date of the hearing.

Article 97

Registered marks shall be published in the Gazette; publication shall be limited to an indication of the serial number, date of registration of the mark, name of the owner, and number and date of the Gazette issue in which acceptance of the registration has been published.

The owner of the mark shall have the right to prevent third parties from using the mark without authorization.

Article 98

If the owner of a mark wishes to cancel the registration of the mark, that owner, or person representing that owner by virtue of a special power of attorney, shall submit to the Head of the Department or person designated by the Head of the Department, a written request to that effect. The Department shall decide on that request within thirty days from the date of submission. The decision canceling the registration shall be effective as of the submission of the request.

Article 99

The owner of a registered mark or person representing that owner by virtue of a special power of attorney, may request that the mark be modified or a relating data be recorded, provided that such modification or recording shall not affect the identity of the mark. Such request shall be submitted by the owner or person representing that owner, for that purpose, by virtue of a special power of attorney.

The request shall be accompanied by supporting documentation which shall be certified or authenticated, as the case may be. It shall be submitted in four copies of the mark with the relevant modification or recording. Where that modification or recording concerns products in respect of which the mark is registered, it shall be by way of deletion without any addition. The procedure applicable to initial applications for registration shall apply to requests for modification or recording.

Article 100

Where the data to be modified or recorded in the register concerns related marks, a single request for such modification or recording shall suffice.

Article 101

The Authority shall record, in the register, data relating to the cancellation or modification of the mark, or recording of related data. Such recording shall be published in the Gazette. Publication shall include the serial number of the mark, name of the owner, recordings and modifications made, together with an indication of the number and date of the Gazette issue in which the registration of the mark has been published.

Article 102

Any request for the recording, in the register, of a transfer of the ownership of a mark or disposal of any right therein shall be made upon a request by the transferee or agent appointed by the transferee by virtue of a

special power of attorney.

The request shall be made using the established model and shall include the following data:

1. Serial number of the mark.
2. Names, surnames, tradenames and elected domiciles in Egypt, of the person making the request and transferor; where any of the person making the request and transferor, or both, is a legal entity, name, address and purpose of establishment shall be also indicated.
3. Residence and nationality of the person making the request.
4. Name, surname and address of the agent, if any.
5. Date of transfer of ownership or disposal of right.
6. Authenticated or certified document establishing transfer of ownership.
7. Products for which the mark is intended, with the number of class or classes to which such products belong.
8. Place where the commercial enterprise or exploitation project in respect of which the mark is or is to be used to distinguish the products thereof.

Article 103

The request for recording shall be accompanied by official or certified documentation establishing transfer of ownership or disposal of right. Where the person making the request is a legal entity, the request shall be accompanied also by an official extract of the constitution act or statute.

Article 104

The Authority shall record, in the register, the transfer of ownership or disposal of right, with an indication of the name, occupation and address of the new owner, right holder or the person in whose interest the seizure is made, the reason for such transfer or disposal, and the date of recording. The Department shall notify the person making the request or agent, of such recording, by registered mail with acknowledgement of receipt, within ten days from that recording.

Article 105

Recording, in the register, of a mortgage or seizure of a mark or of a determination of any material right therein, and of a disposal of a license, shall be made according to the procedure applicable to the transfer of ownership. Publication of mortgage, any other material right, or seizure of the mark, shall include the same data provided for by Article 102 of these Regulations.

Article 106

Transfer of ownership of a mark or disposal of any right therein shall be published in the Gazette. Publication shall include the following data:

1. Serial number and filing date of the application for registration.
2. Date of registration and number and date of the Gazette issue in which registration has been published.
3. Name, surname, nationality and elected domicile in Egypt, of the person in whose name the mark is registered.
4. Products in respect of which the mark is registered, with the number of class or classes of such products.
5. Name, surname and nationality of the person benefiting from a transfer of ownership of the mark or disposal of any right therein.
6. Date of transfer of ownership or disposal of right and date of recording in the register.
7. Place where the commercial enterprise or exploitation project in respect of which the mark is or is to be used to distinguish the products thereof.
8. Place where the commercial enterprise or exploitation project benefiting from a transfer of ownership of the mark or disposal of any right therein.

Article 107

Cancellation of a mortgage of a mark shall be recorded upon a request submitted to the Head of the Department or person designated by the Head of the Department, by the owner of the mark, together with documentation establishing the expiration of the mortgage.

Cancellation of a mark license shall be recorded upon a request submitted to the Head of the Department or person designated by the Head of the Department, by the owner of the mark or licensee, together with supporting documentation.

In both cases, the recording of cancellation shall be published in the Gazette, with an indication of the number and date of the Gazette issue in which the mortgage or license has been published.

Article 108

The period of protection conferred by registration under Article 90 of the Law shall be renewable. Requests for renewal shall be submitted within prescribed time-limits and subject to payment of the due fees under the corresponding category of the attached schedule.

Requests for renewal shall be made using the model established to that effect or contents thereof.

Article 109

The Authority shall indicate, in the register, the renewal of the period of protection and, upon request, grant the person making the request a certificate of renewal, upon payment of the prescribed fee under the corresponding category of the attached schedule.

The request shall be made using the model established to that effect or contents thereof.

Article 110

Renewal of the period of protection shall be published in the Gazette. Publication shall include the following data:

1. Serial number of the mark.
2. Name of the owner.
3. Date of registration and number and date of the Gazette issue in which registration has been published.
4. Date of the request for the renewal of the period of protection.

Article 111

Cancellation of the registration of a mark shall be recorded in the register. The recording of such cancellation shall be published in the Gazette. Publication shall include the following data:

1. Serial number of the mark.
2. Name of the owner.
3. Date of registration and number and date of the Gazette issue in which registration has been published.
4. Reason for and date of cancellation.

Article 112

Any person may request access to registered marks and obtain extracts or copies of the register.

The request shall be made using the model established to that effect or contents thereof, against payment of the prescribed fee under the corresponding category of the attached schedule.

Article 113

Requests, correspondences, submissions and documentation shall be submitted to the Department in the Arabic language.

Where submitted by a foreign person or entity, or made in a foreign language, they shall be accompanied by a translation into the Arabic language, signed by the applicant or agent.

Where a translation concerns transfer of the ownership of a mark or disposal

of any right therein, such translation shall be authenticated or certified.

Article 114

Requests provided for by this Book shall be accompanied by receipts establishing payment of the prescribed fees indicated in the attached schedule.

Article 115

Where a mark in respect of which registration is applied for, includes a geographical indication, provisions of Articles 104 to 111 of the Law shall apply.

Part II Industrial Designs

Article 116

The Department of Trade Registry - General Authority for Trademarks and Industrial Designs - shall be competent for the registration, in the register established to that effect under the provisions of the Law and these Regulations, of industrial designs.

Article 117

An application for the registration of an industrial design shall be filed with the Authority, by the person concerned or a person representing that person concerned by virtue of a special power of attorney, using the model established to that effect or contents therein. The application may include up to fifty industrial designs, provided that such designs form together a homogeneous unit. For each application, the prescribed fee shall be payable in accordance with the categories of the schedule attached, taking into account the number of designs.

Article 118

The application for registration shall include the following data:

1. Name, quality, surname, nationality, residence, address for service and, if necessary, elected domicile in the Arab Republic of Egypt, of the applicant.

Where the applicant is a legal entity, the application shall indicate the name, address, address for service in the Arab Republic of Egypt, and legal statute of that entity, and country in which it is established. Where the application is filed through an intermediary, the application shall indicate the name, surname and address of that intermediary.

2. Number of industrial designs in respect of which registration is applied for, with an indication of products for which the designs are intended, if any.

3. Where the application for the registration of an industrial design involves a priority right, name of the foreign country in which that application has been filed, and filing date of the application, together with an indication of the person in whose name the application has been filed in that foreign country.

4. Where the applicant has obtained a certificate of temporary protection, exhibition at which the design has been exhibited or made public and official opening date of the exhibition.

5. Signature of the person concerned or person designated by that person concerned; where the person concerned is a legal entity, signature by

the person entitled to sign.

Article 119

The application for registration shall be accompanied by:

1. Four copies of each industrial design; however, if capable of being maintained, a specimen of the article for which the design is intended may be submitted.
2. Where the applicant is a legal entity, the application for registration shall be accompanied by an extract of the page of the commercial register where the entity is recorded, an official extract of the constitution act or a reproduction of the statute.
3. Where the application is filed under Article 132 of these Regulations, the application shall be accompanied by a copy of the design deposited with the application for registration filed with a foreign country; Such copy shall be certified by the industrial property authority of that country and submitted with the application or, upon a written request by the person concerned, within a period not exceeding six months from the filing date of the application with the Industrial Design Authority. The industrial design applied for shall be the same industrial design deposited with the foreign country.
4. In case of display in exhibitions, where the application for registration involves a priority right, it shall be accompanied by a certificate of temporary protection.

Article 120

The page assigned for the picture of the industrial design shall contain the following data:

1. Name of the applicant.
2. At the right top of the page, serial number of industrial designs attached to the application for registration.
3. At the right bottom of the page, signature by the applicant or agent. The page shall not contain any indication regarding the industrial design or articles for which the design is intended.

Article 121

Applications for the registration of industrial designs shall be recorded in a special register with the Authority, bearing serial numbers allotted according to the filing date of the application. The applicant shall be granted a receipt containing the following data:

1. Serial number of the application.
2. Name of the applicant.

3. Filing date and time of the application.

Article 122

The Authority shall hold manual and electronic indexes of industrial designs applied for; such indexes shall be arranged according to international standards of classification.

Article 123

The industrial design shall contain no words, letters or numbers other than substantial material which cannot be excluded from the design; any such words, letters or numbers shall be deleted.

Article 124

The register in which applications for registration are recorded shall contain the following data:

1. Serial number of the application.
2. Filing date and time of the application, and date of registration.
3. Data concerning the applicant and, if any, the representative, which must be established in the application for registration.
4. Where the application for the registration of an industrial design involves a priority right, the country or entity in which the application has been filed.
5. Number of industrial designs and classes in which they have been registered and classified.
6. Requirements by the Authority for registration.
7. Modifications and recordings made following registration.
8. Acts relating to the industrial design, including transfer of ownership, mortgage or licensing.
9. Seizure or termination of seizure, of the industrial design.
10. Cancellation of a mortgage or license.
11. Renewal of registration in accordance with the Law.
12. Name and, if any, opening date, of the exhibition in which the industrial design has been displayed.
13. Certificate of temporary protection, if any.
14. Publication of the industrial design and, if any, certificate of temporary protection.

Article 125

At the request of the person concerned, a grace period not exceeding six months from the filing date of the application, may be granted to complete the documentation required under Article 119 of these Regulations,

excluding item 1, to accompany the application.

In order for the application to be acceptable, a prescribed fee shall be paid as indicated under the corresponding category of the schedule attached to these Regulations.

Where the grace period provided for by the first paragraph lapses without the required documentation being submitted, the applicant shall be deemed to have abandoned the application.

Article 126

In the case where serious doubts exist as to the correctness of data of or documentation annexed to, an application, the Head of the Department or person designated by the Head of the Department may invite the applicant or agent of the applicant, for discussion, and summon the applicant or agent to furnish, within a period not exceeding three months from the date of the summon, evidence proving the correctness of such data or documentation.

Such invitation shall be made by a registered mail with acknowledgement of receipt, to be sent at the address for service indicated in the application for registration.

Article 127

Rejection of the registration of an industrial design or making such registration conditional shall be the subject of a reasoned decision rendered by the Head of the Department or person designated by the Head of the Department.

In all cases, the applicant or agent shall be notified of such decision, by registered mail with acknowledgement of receipt, within thirty days from the date at which the decision is rendered.

The notification shall include an indication of the right of the applicant to appeal before the committee referred to under Article 124 of the Law, with the time-limits and procedure for submitting the appeal.

Article 128

The committee referred to under Article 124 of the Law shall be constituted, taking into account that:

1. One member shall be expert in the subject-matter of the appeal.
2. Membership of the committee shall exclude the examiner of the design subject of the appeal.

The committee shall consider the appeal in the presence of the Director General of the Authority or a person designated by the Director General in order to respond to the objections of the person making the appeal.

The Department shall notify the person making the appeal, within fifteen days from the date at which the decision of the committee is rendered, of that decision. Notification shall be made by a registered mail with acknowledgement of receipt, to be sent at the most recent address for service indicated by that person before the committee.

Article 129

The appeal shall be submitted, in two copies, using the model established to that effect or contents thereof. The Department shall notify the person making the appeal of the date of the hearing fixed for the consideration of the appeal and summon that person to attend the hearing and submit any evidence or documentation supporting the appeal.

Notification shall be made, by registered mail with acknowledgement of receipt, at least fifteen days prior to the date of the hearing.

Article 130

Unless otherwise provided, industrial designs shall be governed by provisions on trademarks under Articles 86, 87, 88, 89, 90, 91 and 92 of these Regulations.

Article 131

The owner of a registered industrial design shall have the right to make amendments or recordings of data without affecting the industrial design itself. A request to that effect shall be submitted by the owner or an agent appointed by a special power of attorney.

Documentation supporting the request shall be authenticated or certified.

Article 132

Any person desiring to take advantage of an earlier filing of an industrial design, under Article 4 of the Paris Convention for the Protection of Industrial Property, shall file, in Egypt, within a period not exceeding six months from the date of the first earlier filing in a country that is member of the World Trade Organization or applies reciprocity to Egypt, an application for the registration of the same industrial design.

Article 133

Any request for the recording, in the register, of a transfer of the ownership of an industrial design or disposal of any material right therein, shall be made upon a request by the transferee or the agent appointed by the transferee by virtue of a special power of attorney.

The request shall be made using the established model and shall include

the following data:

1. Serial number of the industrial design.
2. Names, surnames, tradenames and elected domiciles in Egypt, of the person making the request and transferor; where any of the person making the request and transferor, or both, is a legal entity, the name, address and purpose of establishment shall be also indicated.
3. Residence and nationality of the person making the request.
4. Name, surname and address of the agent, if any.
5. Date of transfer of ownership or disposal of right.
6. Authenticated or certified document establishing transfer of ownership.
7. Products for which the industrial design is intended, with the number of class or classes to which such products belong.
8. Place where the commercial enterprise or exploitation project in respect of which the industrial design is or is to be used, if any.

Article 134

The request for recording shall be accompanied by authenticated or certified documentation establishing transfer of ownership or disposal of right. Where the person making the request is a legal entity, the request shall be accompanied also by an official extract of the constitution act or statute.

Article 135

The Authority shall record, in the register, the transfer of ownership or disposal of right, with an indication of the name, occupation and address of the new owner, right holder or person in whose interest the seizure is made, the reason for and date of, such transfer or disposal, and the date of recording.

The Department shall notify the person making the request or agent of such recording, by registered mail with acknowledgement of receipt, within ten days from that recording.

Article 136

Transfer of ownership of an industrial design or disposal of any material right therein shall be published in the Gazette. Publication shall include the following data:

1. Serial number and filing date of the application for registration.
2. Date of registration and number and date of the Gazette issue in which registration has been published.
3. Name, surname, nationality and elected domicile in Egypt, of the person in whose name the industrial design is registered.

4. Products in respect of which the industrial design is registered, with the number of class or classes of such products.
5. Name, surname and nationality of the person benefiting from a transfer of ownership of the industrial design or disposal of any right therein.
6. Date of transfer of ownership or disposal of right and date of recording in the register.
7. Place where the commercial enterprise or exploitation project in respect of which the industrial design is or is to be used.
8. Place where the commercial enterprise or exploitation project benefiting from a transfer of ownership of the industrial design or disposal of any right therein.

Article 137

Cancellation of a mortgage of an industrial design shall be recorded upon a request submitted to the Head of the Department or person designated by the Head of the Department, by the owner of the industrial design, together with documentation establishing the expiration of the mortgage. Cancellation of an industrial design license shall be recorded upon a request submitted to the Head of the Department or person designated by the Head of the Department, by the owner of the industrial design or licensee, together with supporting documentation.

In both cases, the recording of cancellation shall be published in the Gazette, with an indication of the number and date of the Gazette issue in which the mortgage or license has been published.

Article 138

The period of protection conferred by registration under Article 126 of the Law shall be renewable. Requests for renewal shall be submitted within prescribed time-limits and subject to payment of the due fees under the corresponding categories of the attached schedule.

Requests for renewal shall be made using the model established to that effect or contents thereof.

Article 139

The Authority shall indicate, in the register, the renewal of the period of protection and, upon request, grant the person making the request a certificate of renewal, upon payment of the prescribed fee under the corresponding category of the attached schedule.

The request shall be made using the model established to that effect or contents thereof.

Article 140

Renewal of the period of protection shall be published in the Gazette. Publication shall include the following data:

1. Serial number of the industrial design.
2. Name of the owner.
3. Date of registration and number and date of the Gazette issue in which registration has been published.
4. Date of the request for the renewal of the period of protection.

Article 141

Cancellation of the registration of an industrial design shall be recorded in the register for industrial designs. The recording of such cancellation shall be published in the Gazette. Publication shall include the following data:

1. Serial number of the industrial design.
2. Name of the owner.
3. Date of registration and number and date of the Gazette issue in which registration has been published.
4. Reason for and date of cancellation.

Article 142

Requests provided for by this Book shall be accompanied by receipts establishing payment of the prescribed fees indicated in the attached schedule.

Article 143

Requests, correspondences, submissions and documentation shall be submitted to the Department in the Arabic language.

Where submitted by a foreign person or entity, or made in a foreign language, they shall be accompanied by a translation into the Arabic language, signed by the applicant or agent.

Where a translation concerns transfer of the ownership of an industrial design or disposal of any right therein, such translation shall be authenticated or certified.

Article 144

Any person may request access to registered industrial designs and obtain extracts or copies of the register.

The request shall be made using the model established to that effect or contents thereof, against payment of the prescribed fee under the corresponding category of the attached schedule.

Article 145

The holder of an industrial design, who wishes to benefit from temporary protection for the industrial design in a national or international exhibition, in accordance with Article 132 of the Law, shall notify the Authority of such wish, prior to the display. The notification shall be made using the model established to that effect or contents thereof and shall be accompanied by an illustrative drawing of the industrial design. The Authority may require from the holder to furnish such other indications relating to the industrial design as it deems necessary.

Article 146

Requests for temporary protection shall be recorded, in the manner provided for by Article 77 of these Regulations, in a register which shall contain the following data:

1. Date at which the request has been made.
2. Name of the person making the display.
3. Title, official opening date and duration, of the exhibition.
4. Presentation of the industrial design.
5. Date of entry of the industrial design or product for which it is intended, to the exhibition.

Article 147

Where conditions and requirements provided for by Article 145 of these Regulations are complied with, the Authority shall grant the person making the request a certificate of temporary protection for the industrial design, which shall guaranty the possibility to file an application for the registration of the industrial design, within a maximum period of six months from the date at which the industrial design or products for which the industrial design is intended, enters the exhibition.

Article 148

A request for a non-voluntary license for the exploitation of an industrial design shall be submitted, in application of the provisions of the Law, to the Department, on the model established to that effect.

Article 149

A Secretariat shall be established, by decision of the Head of the Department, within the Department, and shall be responsible for receiving requests for issuing or obtaining non-voluntary licenses, recording such requests in a special register according to the date of receipt, and processing

such requests for consideration by the Department.

Article 150

The Department shall examine non-voluntary license requests to verify whether formal and substantive conditions are complied with, and shall transmit to the ministerial committee provided for by Article 129 of the Law, by virtue of a notice accompanied by an opinion, such requests as it finds acceptable for issuing non-voluntary licenses.

Article 151

The grant of a non-voluntary license, under Article 129 of the Law, shall require that the applicant proves that negotiations with the industrial design holder have been held for a reasonable period of time and serious attempts have been made to obtain a voluntary license under appropriate conditions.

In the appreciation of the extent to which conditions are appropriate, the following shall be taken into account:

1. Nature of the industrial design.
2. Remaining period of the prescribed period of protection.
3. Remuneration offered for the voluntary license.

Article 152

A non-voluntary license shall be granted only to a person capable of seriously exploiting the industrial design through an establishment carrying out activities in Egypt, within the scope and period and under the conditions, fixed by the decision granting the license.

Article 153

The holder of an industrial design in respect of which a non-voluntary license is granted shall be entitled to a fair remuneration for the exploitation of the industrial design, which shall be evaluated by an ad hoc committee to be formed by decision of the Head of the Department. In the appreciation of the remuneration, the committee shall take into account, in particular, the following:

1. Remaining period of the period of protection.
2. Volume and value of the licensed production.
3. Ratio of the price of the product to the average gross per capita income.
4. Volume of investment required for market studies.
5. Volume of investment required for production.
6. Availability of similar products in the market.
7. Prejudice caused by abusive or anti-competitive practices by the

industrial design holder.

The appreciation, by the committee, of the remuneration, shall be submitted to the ministerial committee referred to under Article 129 of the Law, to decide on the remuneration in the light of such appreciation.

Article 154

The Department shall promptly, by registered mail with acknowledgement of receipt, notify the industrial design holder of the decision granting the non-voluntary license and decision appreciating the remuneration.

Fee Schedule for Trademarks

Number	Procedure	Fee in Egyptian Pounds
1	Application for the registration of a mark under one class	50
2	Application for the registration of a mark under multiple classes	
	(a) First category	50
	(b) Each other category for the same application	25
3	Application for the registration of a certification mark	100
4	Application for the registration of a local mark abroad (per country)	100
5	Appeal before appeal committee against decisions by the Department, under Article 77 and 78 of the Law	100
6	Publication of the mark in case of acceptance of the application for registration	50
7	Objecting acceptance of an application for the registration of a mark	250
8	Registration of a mark under one class	60
9	Registration of a mark under multiple classes	
	(a) First class	60
	(b) Each other class for the same application	50
10	Registration of a certification mark	100
11	Recording an indication that a mark is related to one or more other marks	25
12	Publication of a registered mark	50
13	Request for cancellation of a registered mark	50
14	Request for the recording of transfer of ownership, a certification mark, transfer of ownership of related marks, or grant of right to use the mark, as follows	
	- the request is submitted within three months from the date of transfer of ownership or right of use (for one mark) for each of the related marks	100
	- the request is submitted after three months from the date of transfer of ownership or right of use (for one mark) for each of the related marks	50
	- the request is submitted after three months from the date of transfer of ownership or right of use (for one mark) for each of the related marks	125
	- the request is submitted after six months from the date of transfer of ownership or right of use (for one mark) for each of the related marks	60
	- the request is submitted after six months from the date of transfer of ownership or right of use (for one mark) for each of the related marks	150
		70

15	Publication of transfer of ownership or of indication of right of use (for one mark)	50
	for each of the related marks	30
16	Request for the recording of a mortgage of a mark or related marks as follows:	
	- the request is submitted within three months from the date of the mortgage (for one mark)	50
	for each of the related marks	30
	- the request is submitted after three months from the date of the mortgage (for one mark)	60
	for each of the related marks	35
	- the request is submitted after six months from the date of the mortgage (for one mark)	100
	for each of the related marks	50
17	Publication of the mortgage of a mark	50
18	Request for the cancellation of a recording of the mortgage of a mark or related marks:	
	- for one mark	50
	- for each of the related marks	25
19	Publication of the cancellation of a recording of the mortgage of a mark or related marks:	
	- for one mark	50
	- for each of the related marks	15
20	Request for renewal of period of protection of a registered mark within the last year of that period:	
	1. for one class	50
	2. for multiple classes:	
	(a) first class	50
	(b) each other class for the same application	25
	(c) registered certification marks	100
	3. Surcharge where request is submitted within six months following the expiration of the period of protection	200
21	Request for registration of a mark after cancellation, within three years from the date of cancellation	1,000
22	Publication of renewal of period of protection for a mark or a group of related marks	50
23	Request for access to a registered mark or obtaining extracts or copies of the register where the mark is registered	55
24	Publication of one or more indication submitted in a single application	40
25	Request for recording an addition to or	100

	modification of a registered mark, certification mark, or all or some of the related marks registered in the name of the person making the request	
	For each of the related marks, after the first mark	50
26	Publication of a mark after addition or modification	50
27	Objecting an addition to or modification of a registered mark	150
28	Submission of clichés for publication or republication of a mark	70
29	Request for amendment of statute regulating use of a certification mark	150
30	Request for an addition or change of a recording for which no fee has been fixed	20
31	Request to complete, change or correct data in any request or requests submitted by the same person for one or more marks	35
32	Request for modification of or addition to a mark or group of marks prior to registration	35
33	Request for the examination of a mark prior to the filing of the application for registration	150
34	Request for a certificate to obtain registration of a mark abroad	50
35	Request for a certificate establishing assignment of a mark	50

Stamp value to be added, according to the legislation on stamps.

Fee Schedule for Industrial Designs

Number	Procedure	Fee in Egyptian Pounds
1	Application for the registration of a single industrial design	30
	In case of multiple deposit, each industrial design after the first	15
2	Application for the registration of a local industrial design abroad	100
3	Appeal before committee under Article 124 of the Law	100
4	Publication of each industrial design	30
5	Objecting registration of an industrial design	75
6	Registration of an industrial design	75
7	Request for cancellation of an industrial design	15
8	Request for the recording of transfer of ownership, or grant of right to use the industrial design, as follows	
	- the request is submitted within three months from the date of transfer of ownership or right of use	75
	- the request is submitted after three months from the date of transfer of ownership or right of use	100
	- the request is submitted after six months from the date of transfer of ownership or right of use	150
9	Publication of transfer of ownership, or indication of cancellation or right of use	30
10	Request for the recording of a mortgage of an industrial design as follows:	
	- the request is submitted within three months from the date of the mortgage	75
	- the request is submitted after three months from the date of the mortgage	100
	- the request is submitted after six months from the date of the mortgage	150
11	Publication of the mortgage of an industrial design	30
12	Request for the cancellation of a recording of the mortgage of an industrial design	30
13	Request for renewal of period of protection of an industrial design	
	- the request is submitted within the last year of the period of protection	75
	- the request is submitted within three months following the expiration of the period of protection	100
14	Publication of renewal of registration for an industrial design	30
15	Request for recording a data relating to	15

	an industrial design	
16	Publication of one or more indications relating to an industrial design, submitted in a single application	15
17	Request for introducing one or more modification in an industrial design	15
18	Submission of clichés for publication of an industrial design of a length or width not exceeding 50 cm	30
	For any excess in length or width of 2 cm or part thereof	10
19	Request for completion, addition or change of a recording for which no fee has been fixed	15
20	Publication of completion, addition or change of a recording for which no fee has been fixed	15
21	Request for the examination of an industrial design prior to the filing of the application for registration	100
22	Request for a registration certificate to obtain registration of an industrial design abroad	30
23	Request for access to a registered industrial design or obtaining an extract or copies of the register where the industrial design is registered	30
24	Request for a copy or extract of requests, applications or documentation	
	For each paper	30
25	Request for copy or extract of the register where an industrial design is recorded	10
26	Request for temporary protection for exhibitions, seminars, conferences or other services	50

Stamp value to be added, according to the legislation on stamps.

BOOK FOUR Plant Varieties (Omitted)