

**State of Qatar**  
**Industrial Design Law**

Law No. (10) of the year 2020  
on the Protection of Industrial Designs 10/2020.

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## **ARTICLE 1**

In the application of the provisions of this Law and its Implementing Regulations, the following words and expressions shall have the meanings indicated in each of them, unless the context requires another meaning:

**The Ministry:** Ministry of Commerce and Industry.

**The Minister:** The Minister of Commerce and Industry.

**Management:** The competent administrative unit of the Ministry.

**Office:** The Industrial Property Protection Office of the Ministry.

**Industrial design:** any form of two-dimensional or three-dimensional designs or designs that confer on any industrial or craft product a special and new appearance, and not merely a functional or technical purpose.

**Voluntary license:** a license granted by the owner of the industrial design or right holder to the licensee on the basis of a written agreement.

**Compulsory License:** A license granted in accordance with the provisions of this Law, under which a third party has the right to exploit the industrial design without the consent of its owner.

**Register:** The register provided for in Article (3) of this Law.

**The Grievance Committee:** The Grievance and Remedies Committee provided for in Article (9) of this Law.

**Bulletin:** An industrial property bulletin shall be issued periodically by the Office and shall publish the data to be published in accordance with the provisions of this Law.

**Regulations:** Implementing regulations under this Law.

## **ARTICLE 2**

Without prejudice to the provisions of international treaties and agreements to which the State is a party, nationals who are members of the World Trade Organization or who have a substantial and effective status in any country or entity thereof shall have the same rights as are guaranteed by this Law, provided that the State concerned treats its nationals and residents as its nationals or residents.

Where an application for the registration of an industrial design is filed with a country or entity that is a member of the World Trade Organization (WTO), or where such country treats Qatari nationals and residents of that country in the same manner as its own nationals, the applicant or his successor in title may file the application within six months from the date of filing. The office shall accept the same subject matter in accordance with the conditions and rules set out in this Law and the Regulations, and the date of filing of the first application in the foreign country shall prevail.

## **ARTICLE 3**

The Office shall establish the Register for the registration of industrial designs, the data of its owners and the notifications of assignment or transfer of ownership, the data of the beneficiaries of the licenses, the renewal, cancellation and decision of registrations, and all other related matters in accordance with the rules and procedures specified in the Regulations.

## **ARTICLE 4**

An application for the registration of an industrial design shall be filed with the office by the creator or his/her successor in title in accordance with the conditions and rules set forth in the Regulations.

The applicant may withdraw it at any time until a final decision has been made. The withdrawal of the application shall not refund the payment of representative or the fees of the office.

## **ARTICLE 5**

Without prejudice to the provisions of international treaties and conventions to which the State is a party, where the applicant has not the address in Qatar or real and effective address, the application for registration must be submitted by a representative addressed in the State, accompanied by the power of attorney.

## **ARTICLE 6**

The disclosure of the industrial design, which is disclosed at national or international exhibitions during the six months preceding the date of filing of the application for the registration of the industrial design shall not be considered to be lack of the novelty requirement.

The Regulations establish the conditions and procedures for the disclosure of the industrial design.

## **ARTICLE 7**

The following industrial designs may not be registered:

- 1 Industrial design which is normally required by the technical or functional considerations of the product.
- 2 Industrial design which includes emblems or religious symbols, seals, emblems, signs or flags of States or international entities, or contrary to public order.
- 3 Industrial design which is similar or identical to a registered or a well-known trademark.

## **ARTICLE 8**

The Office shall examine the application for registration and its attachment, in order to verify whether it meets the requirements established by this Law and the Regulations, and the Office may request such amendments as it deems necessary to comply with the requirements set out in this Law.

The Office shall notify the applicant of its reasoned decision, by registered letter or by any acceptable means, within thirty days from the date of the submission of the application.

If the applicant for registration does not comply with the restrictions or amendments made by the office within ninety days

from the date of the aforementioned notification, the Office shall issue a reasoned decision to reject the application and notify the applicant for the registration by a registered letter or by any acceptable means.

#### **ARTICLE 9**

The applicant or his representative may appeal against the decision of the Office in respect of an application for registration within thirty days of being notified of the decision to the Board of Grievances within 30 days from the notification of the decision, which shall consist of a judge designated by the Supreme Council of the Judiciary and two experienced by the Minister.

The Grievance Committee shall decide within thirty days from the date of its submission, and the decision on the appeal shall be final.

#### **ARTICLE 10**

Where the Office accepts the industrial design, the Office shall announce the industrial design by the means of publication by the Regulation before registering it and the applicant for the registration shall bear the costs of the announcement.

Any interested party may, within sixty days, submit to the Office a written opposition to the registration for the industrial design, and the Office shall notify the applicant for the registration with a copy of the opposition within thirty days from the date of the opposition, and the applicant shall submit a written reply to the opposition to the Office within sixty days from the date of notification. Otherwise, the application shall be considered not to have been made.

The Office shall decide on an opposition and shall hear both the opponent and the applicant for registration, or only one of them if necessary, and notify two parties of the decision on the opposition to a registered letter or by any acceptable means. Any interested party may appeal the decision of the Office before the competent court within thirty days from the date of the notification.

If the time limit for the opposition expires without any opposition, the Office shall register the industrial design immediately after the expiry of this period.

Unless otherwise decided by the competent court, an appeal against a decision to accept the registration of an industrial design shall not result in the suspension of the registration procedures.

#### **ARTICLE 11**

If the industrial design has registered, the effect of the registration shall extend to the filing date of the application, the owner of the industrial design shall be given a certificate containing the following data upon completion of the registration:

1. registration number of the industrial design.
2. the number and date of the priority, the State in which the priority application was filed.
3. the filing date of the application, the registration date of the industrial design, and the date of expiry of the period of protection.
4. the name, surname, residence and nationality of the owner of the industrial design, and the name and address of the representative, if any.
5. the name and address of the creator and a brief description of the industrial design of the products for which it will be used.

#### **ARTICLE 12**

The Office shall publish in the bulletin the data to be published in accordance with the provisions of this Law.

#### **ARTICLE 13**

The owner of a registered industrial design shall have the exclusive right to prevent third parties from making, selling, importing or distributing products taking or including the form of this design, unless the owner has marketed those products in any State or licensed others to do so.

**ARTICLE 14**

Each person shall have free access to the Register, or require any data or extracts from it after the payment of the prescribed fee.

**ARTICLE 15**

The duration of protection of the industrial design is five years from the filing date of the application in the State of Qatar, renewable only for two equivalent periods.

If the holder wishes to renew the protection, he or she may submit a request for renewal within the last year of the protection period, in accordance with the conditions set by the Regulations after the payment of the prescribed fee.

The registration may be renewed within the six months following the end of registration after paying the prescribed renewal fee and an additional fee, where the applicant has made a reasoned decision acceptable to the Office.

Renewal shall be made without any new examination and shall be notified by the means of publication established by the Regulations, and without any objection by third parties.

If the six-month period following the end of registration expires without a renewal request being submitted, the office shall cancel the registration.

**ARTICLE 16**

The ownership of the industrial design and the resulting rights shall be vested in the legitimate heirs unless otherwise recommended.

The interested parties may submit a request for the amendment of the registration data of the industrial design to the Office accompanied by the necessary documents, in the manner specified in the regulations, with payment of the prescribed fee.

Ownership of the industrial design may be transferred in whole or in part, with or without consideration, and it may be subject to mortgages and licenses.



The transfer of ownership, mortgage or license shall not be effective until the date of entry in the Register and publication in the Gazette, in accordance with the rules and procedures set out in the Regulations and after payment of the required fees.

#### **ARTICLE 17**

The creditor may request the seizure of the industrial design of his debtor in accordance with the rules of seizure of movable property in the possession of the debtor or the seizure of the debtor's property in the possession of third parties, in accordance with the provisions of the aforementioned Civil and Commercial Procedures Law.

The creditor must notify the seizure and the minutes of the auction award to the office to notate them in the registry. The seizure shall not be binding on third parties except from the date of such notation.

The seizure shall be announced in the bulletin in accordance with the number set forth in the regulations after payment of the prescribed fee.

#### **ARTICLE 18**

The owner of the industrial design may license its use to any natural or legal person for some or all of the products for which the industrial design is registered. This shall not prevent the owner of the industrial design from using it himself or licensing other persons to use it, unless there is an agreement to the contrary.

In all cases, the license period may not exceed the prescribed protection period.

#### **ARTICLE 19**

The license may not impose any restrictions that are not related to the rights conferred by the registration of the industrial design or that are not necessary to maintain such rights. However, the license contract may contain any of the following restrictions:

1. Determining the territorial or temporal scope of the exploitation of the design.

2. Requirements for the effective control of the quality of products related to the industrial design.
3. Obligations imposed on the beneficiary of the license to refrain from all actions that may be prejudicial to the industrial design.

#### **ARTICLE 20**

A contract for licensing the use of an industrial design shall not be valid unless it is written, indicated in the register, and published in the Bulletin, in accordance with what is specified by the regulations.

#### **ARTICLE 21**

The beneficiary of the license may not assign it to a third party, or grant a sub-license to him, unless there is an agreement to the contrary.

#### **ARTICLE 22**

The registration of the license contract shall be deleted from the register, based on the request of the owner of the industrial design or model or the beneficiary of the license after submitting evidence of its expiration or termination of the license contract. The deletion shall not take place except after the office notifies the other party of the request to delete the license, which has the right to object in accordance with the procedures specified in the regulations.

#### **ARTICLE 23**

The Office and any interested party may request the competent court to cancel the registration of the industrial design if it was registered without justification. The owner of the industrial design may also request the Office to cancel the registration in whole or in part, in accordance with the conditions and procedures set out in the Regulations.

If the industrial drawing or model is licensed for use in accordance with a contract indicated in the register, it may not be cancelled except upon the written consent of the beneficiary of the license, or unless he explicitly waives his right.

#### **ARTICLE 24**

Where the registration of an industrial drawing or model has been cancelled from the Register, it may not be reissued for the benefit of a third party after three years from the date of cancellation or unless the cancellation was based on a court decision shortening the period for reissue.

The deletion must be announced in the Bulletin in accordance with the procedures specified in the regulations.

#### **ARTICLE 25**

A committee shall be formed by a decision of the Council of Ministers to study the granting of compulsory licenses.

The office may, after the approval of the aforementioned committee, by a reasoned decision, and non-exclusive, and for reasons of achieving the public interest, grant a compulsory license to others to exploit the industrial design in return for fair compensation, in accordance with the rules, procedures and conditions specified by the regulations.

When issuing its approval of the license, the committee shall determine the financial compensation of the owner of the industrial design.

#### **ARTICLE 26**

The license applicant must prove that he has made serious attempts within a reasonable period to obtain an optional license from the owner of the industrial design in exchange for a fair fee.

The license application will be decided according to the circumstances of each case individually, taking into account that the licensee is able to exploit the design in the State.

The owner of the right to the industrial drawing or model may appeal the decision issued to grant the compulsory license, or to request compensation before the Grievances and Compensation Committee within 15 days from the date of notification of the decision issued to grant the compulsory license, in accordance with the conditions and procedures specified by the regulations.

## **ARTICLE 27**

The licensee shall be obliged to use the industrial design, in compliance with the conditions stated in the decision to grant the license, and during the period of the license, and may not assign the license to third parties.

The Office may grant one or more licenses to third parties if necessary.

## **ARTICLE 28**

The license shall expire upon expiry of its term. However, the Office may, on ex officio or at the request of the interested party, renew the license in the event that its purpose is not achieved.

The Office may also cancel the license before its expiry if the reasons that led to its granting have ceased to exist and it is unlikely that these reasons will arise again.

The Office may also, ex officio or upon request, amend or cancel the terms of the license if the licensee does not use the license within two years from the date of the grant of the license or fails to comply with its obligations.

In all cases, the legitimate interests of the licensee shall be taken into account in the event of cancellation of the license before the expiry of its period.

## **ARTICLE 29**

1. Any interested party may apply to the competent court to obtain an order to take appropriate precautionary measures, in particular with regard to:

- a. Preparing a detailed inventory and inventory report for local or imported products, or packaging, papers, shop addresses, or other items bearing an illegal industrial design or model, and listing and describing the documents or materials used in this.
- b. Imposing a seizure on the items mentioned in the previous clause, provided that the seizure shall not be imposed on them except after the applicant has deposited with the court clerk

a security valued by the court as a guarantee of the seriousness of the request and to compensate the person against whom the seizure is made, if necessary.

2. The order may include appointing one or more experts to assist in the inventory and taking precautionary measures.

3. After the seizure is imposed, any interested party may dispute the adequacy of the value of the guarantee provided by the seizing party, by filing a lawsuit before the court.

4. In all cases, the precautionary measures taken shall lapse and become null and void if they are not followed by filing a civil or criminal lawsuit against the person against whom those measures were taken, within twenty days from the date of issuance of the order.

5. The person against whom the seizure was made may file a lawsuit for compensation for the seizure, and the lawsuit must be announced to both the seizing party and the court clerk within ninety days from the expiry of the period stipulated in the previous clause, or from the date the ruling rejecting the seizure is deemed final, otherwise the person against whom the seizure was made shall lose his right to file a lawsuit for compensation.

6. The guarantee shall be returned to the seizing party in the following cases:

- a. If a final judgment is given on his or her own behalf.
- b. If the ninety-day period stipulated in Clause (5) of this Article expires without the person against whom the seizure was made filing a claim for compensation for the seizure.
- c. If a final judgment is issued rejecting the claim filed by the person against whom the seizure was made.

## **ARTICLE 30**

Without prejudice to the more severe penalties prescribed by another law, a term of imprisonment of not more than three years, and a fine of not more than 1 million rials, or by one of these penalties, shall be punished by imprisonment for a term of not

more than three years:

1. Forges or imitates an industrial drawing or model registered in accordance with the provisions of this law.
2. Uses with malicious intent a forged or imitated design.
3. Places with malicious intent an industrial drawing or model owned by another.

The court may order the publication of the judgment, in addition to closing the project subject to the violation for a period not exceeding six months.

The regulations shall specify the manner in which the judgment shall be published.

#### **ARTICLE 31**

Without prejudice to any heavier penalty prescribed by another law, a term of imprisonment of not more than one year, and a fine not exceeding one hundred thousand Riyals, or or by either of these two penalties:

1. Sells or offers for sale or circulation, or possesses with the intent to sell, products that are considered a forged or imitated industrial design or model, or is placed or used illegally, with knowledge of that.
2. Unlawfully writes on his products, papers or commercial documents what leads to the belief that an industrial design has been registered.
3. Neglects with malicious intent to place the registered industrial design or model on the goods or services that distinguish it.
4. Possesses tools or materials, with the intent to use them to imitate or forge a registered industrial design or model.

The court may order the publication of the judgment at the expense of the convicted person, in addition to closing the project for a period not exceeding three months.

The regulation shall specify the manner and method of publishing the judgment.

## **ARTICLE 32**

The penalties provided for in the two preceding articles shall be doubled in the case of recidivism.

A person who has been convicted of one of the crimes stipulated therein and has committed another similar crime within three years from the date of full execution of the sentence imposed or its lapse by the passage of time shall be considered a recidivist in the application of the provisions of this law.

The court shall order the publication of the judgment at the expense of the convicted person, in addition to closing the project for a period not exceeding one year.

The regulations shall specify the manner and method of publishing the judgment.

## **ARTICLE 33**

In all cases stipulated in Articles (30), (31), and (32) of this law, the court may order the confiscation of equipment and tools used in imitation or forgery, in addition to the confiscation of imitated or counterfeit products or order their destruction.

## **ARTICLE 34**

The owner of the right to the industrial design in case of direct injury to the right holder for the infringement of any of his rights under the provisions of this Law shall claim compensation for damages suffered as a result of the infringement, including earned by the infringer.

The Court, when considering lawsuits related to the rights established under the provisions of this law, may order the following:

- a. Seizing the products suspected of involving an infringement of any of the rights established under the provisions of this law, as well as the relevant materials and tools.
- b. Obligating the infringer to stop the infringement.
- c. Preventing the export of products which involve infringement of any of the rights prescribed by the provisions of this Law and preventing the entry of the said imported products.
- d. Obligating the infringer to provide it, and the right holder, with the information he has about everyone who contributed to

the infringement and his identity, the methods of production and distribution channels of the aforementioned products, the identity of everyone who participated in that, and his distribution channels.

#### **ARTICLE 35**

The Ministry's employees who are authorized by a decision of the Public Prosecutor, in agreement with the Minister, to act as judicial police officers, shall have the power to seize and prove crimes committed in violation of the provisions of this Law.

#### **ARTICLE 36**

The Minister shall issue the Regulations under this Law and the decisions necessary to implement it, and pending the adoption of these Regulations and Decisions, the decisions and regulations currently in force shall continue to be applied in a manner not inconsistent with its provisions.

#### **ARTICLE 37**

Any provision which contravenes the provisions of this Law shall be cancelled.

#### **ARTICLE 38**

All competent authorities, each within its jurisdiction, shall implement this law. It shall be published in the Official Gazette.