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AGIP Provides Comprehensive Search for Published Patents in Jordan and UAE

AMMAN - Abu-Ghazaleh Intellectual Property (AGIP) kicked off the New Year with the addition of a new service “Comprehensive Search for Published Patents” in the United Arab Emirates and Jordan through its Intellectual Property Published Registrations (IPPR) Data Center.

The IPPR Data Center will be conducting a comprehensive search for patents published in the Official Gazettes in the aforementioned countries, in

order to determine patents’ availability for use and registration, in addition to evaluating whether such patents conflict with previously existing rights by third parties.

The patent search applies different sophisticated search criteria such as title, abstract, names (inventor/ applicant), numbers and dates (publication/ application/ priority) and patent families. The search covers bibliographic search, English equivalent patent

search, English related patent documents search and equivalent patent family search.

After conducting the search, clients will be provided with a full detailed search report indicating any similar or matching patents of theirs.

For further information, please contact our offices in UAE and Jordan at: uae@agip.com and jordan@agip.com, respectively.

New Address for AGIP Afghanistan Office



KABUL – Abu-Ghazaleh Intellectual Property (AGIP) would like to inform its clients that its office in Afghanistan has

moved to its new location.

Accordingly, AGIP Afghanistan office's new address will be as follows:

Talal Abu-Ghazaleh Organization
House No. 108, District 4
Shahr-e-Naw
Kabul, Afghanistan

However, the current postal address, e-mail address, telephone and fax numbers will remain unchanged.

New Official Fees Come into Effect in the West Bank



RAMALLAH – The new official fees list for trademarks services adopted by the West Bank Government on September 3, 2012 will go into effect as from January 16, 2013.

The new fees cover filing, publication, registration, renewal, recordal, oppositions

and cancellation of trademark applications.

Accordingly, Abu-Ghazaleh Intellectual Property (AGIP) amended its schedule of charges which is now posted on the website (www.agip.com).

For more information on this matter, or any inquiries, please contact AGIP West Bank Office at the following address:

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Increase in Official Charges for IP Services in Iran



TEHRAN – The Iranian Intellectual Property Office (IIPO) has recently increased its official fees payable on all Intellectual Property services.

The increase occurred as a result of an amendment in payment procedure and type of

payment with regard to foreign applicants.

Accordingly, Abu-Ghazaleh Intellectual Property (AGIP) amended its schedule of charges which is now posted on the website (www.agip.com).

For more information on this matter, or any inquiries, please contact AGIP Iran Office at the following address:

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USPTO Releases New Patent Term Calculator



WASHINGTON - The US Department of Commerce's United States Patent and Trademark Office (USPTO) announced the release of a new calculator that enables members of the public to estimate the expiration date of a utility, plant, or design patent. According to the Office, the calculator can be downloaded at www.uspto.gov/patents/law/patent_term_calculator.jsp.

“This new calculator is another educational tool we’re providing to our nation’s innovators and entrepreneurs,” said Under Secretary of Commerce for Intellectual Property and Director of the USPTO David Kappos. “In conjunction with the Intellectual Property (IP) Awareness Assessment Tool we released in March, the calculator can help manufacturers, small businesses, entrepreneurs, and independent inventors assess and improve their knowledge of IP.”

The calculator provides a best estimate of a patent’s expiration date, based on a comprehensive list of factors than can be found in USPTO records. Before relying on an expiration date, individuals should always carefully inspect all relevant documents available through the USPTO, court records and elsewhere, and consult with an attorney.

Buenos Aires, Singapore, London Identified as ICANN Meeting Sites for 2013-14

MARINA DEL REY, CA - Completing the selection of meeting sites for 2013, the Internet Corporation for Assigned Names and Numbers (ICANN) Board approved Buenos Aires, Argentina, as the location of ICANN's 48th public meeting, to be held 17-21 November 2013. According to the Corporation, the Board also approved Singapore, London and a North American city (to be determined) as locations for the organization's 2014 meetings.



sessions, these week-long meetings are the focal point for individuals and representatives of the different ICANN stakeholder groups to introduce and discuss issues related to ICANN policy. Participants may attend in person or remotely. Meetings are open to everyone and registration is free.

ICANN holds three public meetings each calendar year in different regions of the globe. Usually comprised of more than 200 different

The Board previously approved Beijing, People's Republic of China for the April 2013 meeting and Durban, South Africa for the July 2013 meeting.

When & Where to Meet AGIP Professionals

Who	When	Where
Nabil Salamé (Executive Director / Vice President Marketing)	January 30 – February 3	AIPLA Mid-Winter Institute in Tampa, Florida
Muneer Kudili (India Office Manager)	February 3-6	INTA Trademark Practice Trends in India, Mumbai, India

Patent Novelty in the Egyptian Patent Law

Novelty is one of the three main requirements for the patentability of an invention namely; novelty, inventive step and industrial applicability.

Novelty is defined by Article 3 of the Egyptian IP Law

Article 3

An invention shall not be considered wholly or partly new:

- i. if, before the filing date of the patent application, a patent application has been filed for the same invention or a patent was already issued in or outside Egypt for the invention or part thereof;
- ii. if, before the filing date of the patent application, the invention was used publicly in or outside Egypt, or the description of which was disclosed in a manner so as a person having expertise in the art is able to exploit it.

According to the provisions of the preceding Article, disclosure shall not include displaying the invention in national or international exhibitions within the six months before the date on which the application was filed.

The Regulations shall specify the conditions and the procedures for the disclosure of a patent.

Before commenting on the said article and particularly on Article 3 (i) let us state that for most countries novelty is calculated from the disclosure date and not from the filing date. This

applies for example for The European Patent Law, the Canadian Patent Law, the Jordanian Patent Law and the Gulf Cooperation Council Patent Law.

For example novelty according to the European Patent Convention is specified by Article 54.

Article 54

1. An invention shall be considered to be new if it does not form part of the state of the art.
2. The state of the art shall be held to comprise everything made available to the public by means of a written or oral description, by use, or in any other way, before the date of filing of the European patent application.
3. Additionally, the content of European patent applications as filed, the dates of filing of which are prior to the date referred to in paragraph 2 and which were published on or after that date, shall be considered as comprised in the state of the art.
4. Paragraphs 2 and 3 shall not exclude the patentability of any substance or composition, comprised in the state of the art, for use in a method referred to in Article 53(c), provided that its use for any such method is not comprised in the state of the art.
5. Paragraphs 2 and 3 shall also not exclude the patentability of any substance or composition referred to in paragraph 4 for any specific use in a method referred to in Article 53(c), provided that such use is not comprised in the state of the art

Reference is made here to part (2) and the phrase “made available to the public”

The novelty is defined in a similar manner for most of the laws of different countries.

Article (2-i) of the Egyptian Patent Law will result in that if a patent application is filed in Italy for example on January 2, 2012 and a corresponding patent application is filed by the same applicant in Egypt on January 3, 2012 without claiming the priority of the application filed in Italy one day before, the Corresponding Egyptian Patent Application will be rejected by the Egyptian Patent Office for lack of novelty despite the fact that of course no publication or disclosure to the public has taken place.

Furthermore some may see that Article (3-i) is in conflict with sections (4-C-4) and (4-D-4) of the Paris Convention which Egypt is a member of and which is a part of the Egyptian Law.

Article 4

4. A subsequent application concerning the same subject as a previous first application within the meaning of paragraph (2), above, filed in the same country of the Union shall be considered as the first application, of

which the filing date shall be the starting point of the period of priority, if, at the time of filing the subsequent application, the said previous application has been withdrawn, abandoned, or refused, without having been laid open to public inspection and without leaving any rights outstanding, and if it has not yet served as a basis for claiming a right of priority. The previous may not thereafter serve as a basis for claiming a right of priority.

4. No other formalities may be required for the declaration of priority at the time of filing the application. Each country of the Union shall determine the consequences of failure to comply with the formalities prescribed by this Article, but such consequences shall in no case go beyond the loss of the right of priority

Finally the text of Article (3-i) is somewhat confusing since it seems to be enough to state the Article (3-i) as “If before the filing date of the patent application, a patent application has been filed for the same invention in or outside Egypt for the invention or part thereof.”

**Written by: Dr. Ahmad Donia
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