



Talal Abu-Ghazaleh Legal

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Issue 38

TAGLegal

Contributes to World Bank's «Doing Business 2012: Doing Business in a More Transparent World»

UAE's

Federal Law of Human
Resources Amended

RUSSIAN ACCESSION

Will Bring Powerhouse under TRIPS
Immediately – WTO

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Doing Business



2012

TAGLegal

Contributes to World Bank's «Doing Business 2012: Doing Business in a More Transparent World»

The report, which was issued in English and translated to other languages, covers the enforcement of regulatory procedures in the fields of starting a business, resolving insolvency, trading across borders, enforcing contracts and recently included indicators on getting electricity connections.

AMMAN----November 13, 2011----“Doing Business 2012:Doing Business in a More Transparent World ” is the latest report issued by the World Bank for 2012, marking the ninth report that tackles the world’s regulatory and legislative business environment.

The World Bank has focused on this report at its regulatory reform measures that show the influence of the economic performance and growth on the countries of the Middle East and South Africa.

Doing Business Report 2012 covers the regulations that affect the national firms in 183 economies and ranks the economies in 10 areas of business regulations. The main target was to monitor the governmental regulations in a way that serves the legislative entities and environments efficiently.

In the 2012 report, the contribution of Talal Abu-Ghazaleh Legal (TAGLegal) appears through the conducted surveys and researches which provide solid ground for successful business base. The World Bank recognizes how major and considerable the role of TAGLegal is in developing such report.

Morocco had the highest percentage of improving its business compared to other global and regional economies, climbing 21 places to 94, by implementing 15 business regulatory reforms presented by simplifying the construction permitting process and easing the administrative burden of tax compliance.

The report shows that six of 18 business regulatory measured reforms made it easier to start a business, such as Jordan, by reducing the minimum capital required to start a company, and Oman’s new one-stop shop for entrepreneurs cut business registration time from seven days to three .While Saudi Arabia remained the regional leader by being among the top 20 countries for allowing and easing the doing business process of firms.

Therefore, the remarkable contribution of Talal Abu-Ghazaleh Legal in developing this annual report, for the third time in a row, through their outstanding services has been adopted and posted on the website of the report,www.doingbusiness.org, not to mention the thanking letters sent to TAGLegal and AGIP offices represented by : **TAGLegal Bahrain, TAGLegal Egypt, TAGLegal Iraq, TAGLegal Jabal Ali, TAGLegal Jeddah, TAGLegal Jordan, TAGLegal KSA, TAGLegal Lebanon, TAGLegal Oman, TAGLegal Syria, TAGLegal Turkey, TAGLegal Dubai, AGIP Morocco and AGIP Sudan.**

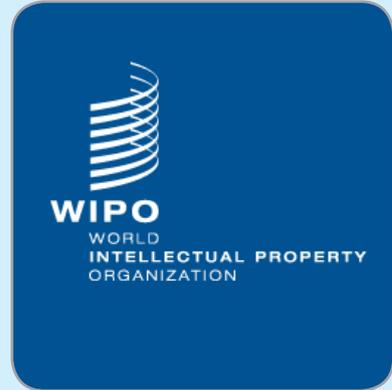
About Talal Abu-Ghazaleh Legal

Talal Abu-Ghazaleh Legal, “www.tag-legal.com”, is a member of Talal Abu-Ghazaleh Organization, providing specialized legal services and advice in various aspects of corporate and business activities, in addition to its leading role in the field of intellectual property as one of the largest law firms specialized in the Arab region and has offices in all Arab countries and some countries in the Middle East, as well as representative offices in most countries of the world.

About the World Bank Group

The World Bank Group, “www.worldbank.org” which includes the International Finance Corporation, is an international body aiming at the provision of funding and technical assistance to developing countries. The report on Doing Business, www.doingbusiness.org, is issued by the International Finance Corporation and the World Bank.

ESCWA Launches an IP Workshop



AMMAN –The ESCWA Center for Technology has recently launched an Intellectual Property (IP) workshop in collaboration with the World Intellectual Property Organization and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Jordan under the name of “Intellectual Property and Transferring Technology to Universities and Research and Development Centers”.

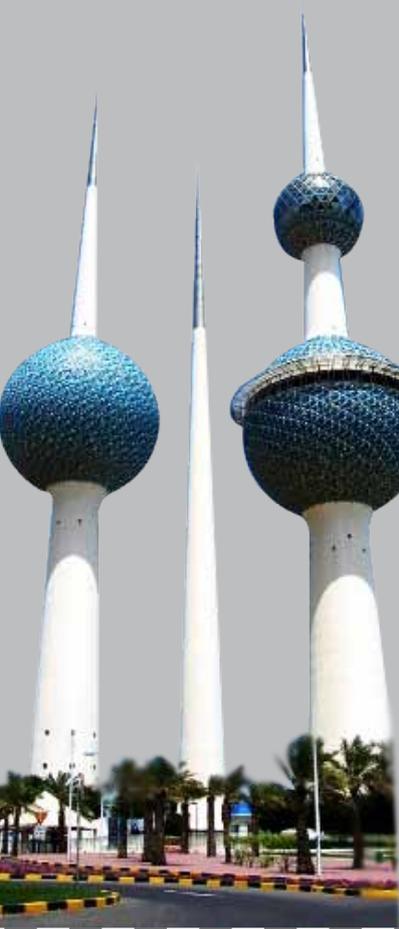
Fouad Murad, executive director of ESCWA Center, pointed out that the workshop, which was the center’s first activity after the official opening, urges the universities and centers to form the early stage for the development cycle which the center hopes to support in the region.

He also mentioned that technology transfer is very important to universities and that the researches shall form the essential part of supporting the development process, clarifying that the ESCWA members did not benefit from the scientific and technological potentials of trading, social and economic incorporations as expected. He added that there is a need to reform the significant role of economy in universities. He considers the universities as the practical field for researches and finding solutions for development problems in the field of industry and serving societies.

The counselor of WIPO’s Arab regional office, Samer Al-Tarawneh, said that the big improvement in the IP system resulting from fast development process would require qualified staff in the public and private sector to deal with this situation efficiently and practically.

Al-Tarawneh stressed that there would be no effective progress or creativity without any governmental policies.

The workshop aims at developing the fundamental strategies of the Intellectual Property and to transfer the technology to universities and researching entities in the ESCWA.



AMENDMENTS to the Press Law of Kuwait

KUWAIT - The government has passed a new bill to the parliament to get its approval for imposing amendments to Press Law number 61/2007. The new bill was proposed to apply new measures that serve the necessities of the law in a more efficient approach.

The new bill stipulates that a ban will be implemented in the case of attributing any act or statement to His Highness the Amir of Kuwait or HH the Crown Prince without a prior permission from the Amiri Diwan or the Diwan of the Crown Prince.

The amendments included forcing penalties such as imprisonment and fines on those who violate the law through participating in illegal broadcasting activities or using broadcasting equipment without prior permissions.

Penalties will also apply on those who incite hatred or humiliation of any group in the society, as well as criminalizing the acts of "undermining national unity or causing internal strife."

In the first item of the first article, the definition of audio-visual media has been revised to mention the use of 'other' means of broadcasting that are similar to satellites and channels, among others.

Source :Arabnews online



No Permits for Firms Providing Domestic Workers in KSA

RIYADH - Local firms have only registered for acquiring domestic workers while no issued permits have been given to any yet, according to Hattab Bin Saleh Al-Enezi, the official spokesman of the Ministry of Labor.

While some media confirmed obtaining the licenses of these workers, Al-Enezi denied referring such advertisement activities to unlicensed companies. He warned people not to deal with these offices as the ministry is keeping an eye on them and will penalize whoever is found guilty.

The ministry carried out inspection tours of the locations mentioned in the advertisements. Shockingly, the companies did not have anything to do with the advertisements, said Al-Enezi.

Source :Zawya

UAE'S Federal Law of Human Resources Amended

ABU DHABI - The Cabinet has recently approved a decree issued by His Highness Sheikh Khalifa Bin Zayed Al Nahyan where amendments have been implemented on the Federal Law of Human Resources.

The decree containing federal law No.9/Year 2011 introduces amendments to a number of articles in the existing law (Law No. 11/2008) to types of employment and contracts. The decree aims at offering a variety of job opportunities to citizens and help them gain experience and skills.

According to the newly issued decree, each national governmental entity is asked to specify the rights, duties and profession ethics to each employee through detailed contracts so as to improve the quality of services provided by the government.

Source: Emirates News Agency



RUSSIAN ACCESSION Will Bring Powerhouse under TRIPS Immediately - WTO

GENEVA- The World Trade Organization (WTO) announced recently that Russia and the WTO working party for its accession have come to agreement. The Russian Federation began negotiating to join the World Trade Organization before the WTO's landmark agreement on intellectual property rights entered into force. Now, Russia will become party to the agreement upon joining the WTO.

The WTO Ministerial on December 15-17 is expected to give final approval and then it is up to Russia to ratify it, and it becomes an active member 30 days after notifying the WTO. Russia agreed to terms on a full range of WTO issues, and on Trade-Related Aspects of Intellectual Property Rights (TRIPS) it agreed to implementation without a transition period.

The 1994 WTO Agreement on TRIPS provides rules for trade related to patents, trademarks, copyright and related rights, and trade secrets. It has been actively used in enforcement, negotiations and disputes, and continues to be the subject of debate.

A WTO information sheet lists the highlights of Russia's agreement, including the protection of trade-related intellectual property. Russia began negotiating for accession in 1993. The text is not yet available as all accession-related documents remain restricted until the acceding government joins the WTO.

On IP rights, the governing text is the 1994 WTO TRIPS, which Russia will fully apply, according to the WTO, including provisions for enforcement, without a transition period.

The main IP rights focus identified in the WTO information sheet is copyright-related activity, as Russia has been high on the list for anti-piracy actions by major rights-holding nations.



"The Russian government would continue to take actions against the operation of websites (with servers located in the Russian Federation) that promote illegal distribution of content protected by copyright or related rights." It also will "investigate and prosecute companies that illegally distribute objects of copyright or related rights on the Internet," according to the WTO.

In addition, it has agreed to apply all rules of the Berne Convention for the Protection of Literary and Artistic Works by the time of its accession. Russia already is a member of Berne. IP rights also arise in relation to transparency, according to the WTO.

It said Russia agreed that "all legislation affecting trade in goods, services and intellectual property rights would be published promptly, consistent with WTO requirements. The Russian Federation would regularly update its official publications including websites and make these laws readily available to WTO Members, individuals and enterprises."

It also emphasized that Russia will "publish all legislation, affecting trade in goods, services, or intellectual property rights, prior to their adoption and would provide a reasonable period of time, no less than 30 days, for Members to comment, except for emergency cases, national security, monetary policy, measures which publication would impede law enforcement, be contrary to the public interest, or prejudice the commercial interest of particular public or private enterprises. No legislation affecting trade in goods, services or intellectual property rights would become effective prior to publication."

The United States reflected the positive tone upon agreement. "For the United States, today represents an important milestone in our relationship with the Russian Federation, and advances President Obama's determination to expand the economic dimensions of a bilateral relationship traditionally dominated by political and security affairs," Assistant US Trade Representative Christopher Wilson said in a statement to the working party. Russia will be the 154th member of the WTO.



CHINA

IPR Violation is a Global Issue

BEIJING - China will keep enhancing its efforts to protect Intellectual Property Rights (IPR), and will urge greater international cooperation to deal with this global issue, a senior official said.

Tian Lipu, commissioner of the State Intellectual Property Office (SIPO), the nation's IPR regulator, said that China has taken a positive stance on IPR protection in recent decades.

"All nations should promote cooperation and jointly fight IPR violations instead of blaming each other," said Tian.

The State Council, or Cabinet, released a national blueprint in 2008 for the sustainable development of the IPR sector.

Since 2008, the SIPO and other departments - including the Ministry of Public Security and National Copyright Administration - have held four dialogues with foreign enterprises and one with domestic companies. All achieved satisfactory effects, the announcement said. The SIPO has taken more than 430 actions to improve and protect the IPR industry since 2009, the announcement said.

Source: China Daily

Cyber Security Issues and Laws Discussed at the Fifth Annual Gibbons E-Discovery Conference

NEW YORK- On the heels of National Cybersecurity Awareness Month in October, the second panel discussion at the Fifth Annual Gibbons E-Discovery Conference dealt with pressing issues involving cybersecurity and their effect on private industries.

Moderated by Gibbons Director and senior E-Discovery Task Force member Jeffrey L. Nagel, the panel opened with a presentation by Erez Lieberman, deputy chief of the Economic Crimes Unit and chief of the Computer Hacking and Intellectual Property Section, Office of the United States Attorney, District of New Jersey. Mr. Lieberman discussed several cases of high profile cyber security breaches in recent years and the government's role in those cases. Mr. Lieberman identified the various types of cybercrimes affecting businesses and provided the audience with a unique understanding of the interaction and coordination between his office, the Secret Service, the Federal Bureau of Investigations, and private companies. Mr. Lieberman also addressed the effect of data breaches on the public sector and the impact of public perception on the business.

Gibbons Director Luis J. Diaz, then educated the audience on the complex patchwork of federal laws and regulations governing cybercrime, from the Computer Fraud and Abuse Act to the United States Patriot Act, and provided insight into the numerous and varied state laws. Mr. Diaz discussed the potential threats to a private organization such as corporate espionage, the rising threat of malicious

insiders, data hackers, and the use of spam to infiltrate company data. Mr. Diaz then discussed some of the laws intended to help prevent these illegal activities. Mr. Diaz stressed the obligations companies have regarding privacy and information security and offered a legislative overview of the relevant federal, state, and international regulations.

Concluding the discussion was Korin A. Neff, group vice president of Global Privacy at Windham Worldwide Corporation, who offered a first-hand perspective of the effect of cybercrime on corporations, particularly in the hospitality industry which continues to be a major target of data hackers. Ms. Neff provided a discussion of some pending legislation aimed at targeting cybercrime. She then outlined the steps corporations should take when conducting an investigation into a cyber attack, highlighted the reporting procedures a company should take when data is breached, and emphasized the need for written security policies. Ms. Neff completed her presentation with advice on the ways in which a company can protect itself from data breaches and from public fallout in the event confidential information is compromised.

Source: ediscovery law alert



Samsung Obtains Hearing Against Apple in Australia

SIDNEY –Samsung has recently obtained a three-week hearing in March 2012 for its case against Apple's iPhone 4S although Apple tried its best to make it next August, but it was denied for the late timing.

«They [Samsung] are trying to expand the Android market. The longer it's left the harder it will be for Samsung,» said Justice Annabelle Bennett. While Samsung's spokesperson commented that "We concluded that we should engage in legal battles with Apple only in the global market, but not in order to gain more market share in Korea.»

Samsung's case accuses Apple of patent infringement and holds more than 25 claims. It tried to block selling the iPhone 4S in Italy and France right after Apple announced the new handset, but that did not stop Apple from launching its new series.

As Apple succeeded in blocking the sales of Galaxy Tab 10.1 tablet in the region, Samsung is appealing the decision, arguing that it was based on «irrelevant considerations» and that the judge made «errors of law in her approach.»

Source: Appleinsider

Filipinos Have No Permissions to Work in 41 Countries



MANILA — The Department of Labor and Employment in the Philippines has recently posted on its website that Filipinos are no longer permitted to work in 41 countries as these countries do not provide safety methods to these workers.

Afghanistan, Libya, Iraq, Sudan, Chad and Pakistan were among the blacklisted countries that failed to sign international agreements to guarantee the safety of Filipino workers as there are no laws protecting foreign workers from abuse.

New statistics show that 10 percent of the country's population, estimating nine million Filipino workers overseas, will be entitled to this deployment ban. The ban includes professions presented by household keepers, laborers or seamen in suspected areas.

Their dollar remittances have traditionally kept the Philippine economy afloat, although reports of abuse are common.

Source: Inquirer



Under the Patronage of HE Minister of Industry and Trade Corporate Governance for Family Business Workshop Convenes at TAGSB

Enhancing principles of corporate governance leads to upgrading investments decision making at these entities – HE Minister Gammoh. We will present the government with an integrated law draft concerning corporate governance with a special concentration on family businesses – HE Dr. Abu-Ghazaleh. The attendees call on Abu-Ghazaleh to establish a Jordanian governance institute.

AMMAN --- November 21, 2011 --- Talal Abu-Ghazaleh Graduate School of Business (TAGSB) hosted today a workshop entitled “Corporate Governance for Family Business” jointly organized by TAGSB and Konrad-Adenauer-Stiftung Amman under the patronage of HE Mr. Sami Gammoh, Minister of Industry and Trade.

At the beginning of his opening speech, the Minister congratulated TAGSB for being awarded the «Best Educational Institute in Administration in Asia by the World Education Congress Asia Awards 2011 in addition to its accreditation by the Foundation for International Business Administration Accreditation (FIBAA).

Addressing the attendees in the workshop which aimed at underlying challenges that encounter owners of family businesses and the legal requirements that govern the work of these corporate, the Minister stressed that enhancing principles of corporate governance leads to upgrading investments decision making at these entities, adding “if we realize that taking into account principles of corporate governance in ordinary and listed corporations is a necessity then implementing such principles will become vital at the family businesses for the nature, significance, wide-spread and impact of these businesses on the economy.”

He stated that “corporate governance has become an essential factor for the success of the emerging markets. At the time when the global economy is tirelessly working to generate opportunities, we find competitive threats that need to be dealt with to establish corporate governance practices as a means of success.”

Where We Operate ?

General Administration

Email: taglegal@tag-legal.com

Abu Dhabi, UAE

Email: abudhabi@tag-legal.com

Algeria, Algeria

Email: mea@tag-legal.com

Amman, Jordan

Email: jordan@tag-legal.com

Ankara, Turkey

E-mail: turkey@tag-legal.com

Baghdad, Iraq

Email: iraq@tag-legal.com

Beirut, Lebanon

Email: lebanon@tag-legal.com

Cairo, Egypt

Email: egypt@tag-legal.com

Damascus, Syria

Email: syria@tag-legal.com

Casablanca, Morocco

Email: mea@tag-legal.com

Doha, Qatar

Email: qatar@tag-legal.com

Dubai, UAE

Email: uae@tag-legal.com

Erbil, Iraq

Email: iraq@tag-legal.com

Jebel Ali Free Zone Area, UAE

Email: Jafza@tag-legal.com

Jeddah, KSA

Email: jeddah@tag-legal.com

Kabul, Afghanistan

Email: asia@tag-legal.com

Karachi, Pakistan

Email: asia@tag-legal.com

Khartoum, Sudan

Email: mea@tag-legal.com

Kuwait City, Kuwait

Email: kuwait@tag-legal.com

Manama, Kingdom of Bahrain

Email: bahrain@tag-legal.com

Moscow, Russia

Email: eu@tag-legal.com

Muscat, Oman

Email: oman@tag-legal.com

New Delhi, India

Email: asia@tag-legal.com

Nicosia, Cyprus

Email: eu@tag-legal.com

Ramallah, Palestine

Email: mea@tag-legal.com

Riyadh, KSA

Email: ksa@tag-legal.com

Sana'a, Yemen

Email: yemen@tag-legal.com

Shanghai, China

Email: asia@tag-legal.com

Tunis, Tunisia

Email: mea@tag-legal.com

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Talal Abu-Ghazaleh Legal (TAG-Legal) / quality.legal@tag-legal.com