

AGIP *Bulletin*

September 2018



AGIP Participates in 2018 AIPPI World Congress in Mexico

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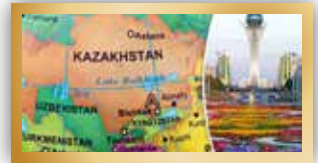
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CANCUN- Abu-Ghazaleh Intellectual Property (AGIP) represented by its Vice-President Marketing and Executive Director, Mr. Nabil Salamé, National Business Development Executive Director, Mr. Motasem Abu-Ghazaleh, and Executive Director AGIP Jordan office, Mr. Amro Hattab, participated

in AIPPI 2018 World Congress which was held in Cancun, Mexico, September 23-26, 2018

The Congress was very successful and gathered around 1300 participants from all over the world. It was a great opportunity for networking and promoting AGIP's and TAG-Org services.



It is worth mentioning that Mr. Motasem Abu-Ghazaleh represented the UAE National Group, while Mr. Amro Hattab represented Jordan National Group.

On the last day of the AIPPI Congress, the Executive Committee elected a new Bureau and nominated Ms. Renata Righetti Pelosi as President.

AGIP Participates in IPO 46th Annual Meeting

CHICAGO - Abu-Ghazaleh Intellectual Property (AGIP) represented by Ms. Nadeen Nussair, Regional Patent Department Manager, and Mr. Rohit Singh, Head of Patents at AGIP India office, participated in Intellectual Property Owners Association (IPO) 46th Annual Meeting which took place in Chicago, USA, September 23-25, 2018.

The meeting gathered over 1300 participants mostly from North and Latin Americas, and offered a great opportunity to exchange expertise with in-house lawyers and IP firms' representatives.



Official Patent Search is Now Possible in Oman

MUSCAT – The Ministry of Commerce and Industry of Oman announced that prior to filing a patent application in Oman, the patentee may conduct a patent search to determine whether someone else has already patented his invention.

For more information or details about patent search in Oman, our office in Oman is ready to help you, please contact it at: oman@agip.com



Kazakhstan Introduces Significant Changes to TM Legislation

ASTANA - The Law of the Republic of Kazakhstan No. 161-VI on “Amendments to Certain Legislative Acts of the Republic of Kazakhstan Concerning the Improvement of Legislation in the Sphere of Intellectual Property” has entered into force in Kazakhstan.

The key changes, that will affect the procedure for the defense and protection of trademark rights, are as follows:

1. Trademark registration:

The process of trademark registration is now simplified and shortened. The examination proceedings will take about 7 months, instead of 9 months as previously. The



whole registration procedure will take about one year. A copy of the power of attorney is sufficient when filing the application.

2. Publication of applications:

After conducting a preliminary examination, the expert organization will publish information on an application in the bulletin within 5 business days.

4. Recordals:

Recordals (licenses, assignments) should be considered within 10 working days, instead of 40 days as previously. In case the term of a license agreement is not indicated in the agreement, it is considered to be valid for five years.

5. Cancellation actions due to non-use:

Cancellation actions due to non-use are now considered by the Court, instead of the Board of Appeals as previously.

The process of cancellation will be more expensive, and could take more time.

6. Counterfeit goods:

Actions concerning parallel import should be filed with the Court; the Customs are no longer responsible for parallel import cases. In addition, the law now defines the term “counterfeit goods” as “any goods, and their packaging, that bear a trademark or a confusingly similar mark without the trademark owner consent”. Counterfeit goods, as well as any equipment or materials used for manufacturing such goods, are to be destroyed at the infringer’s expense.

For more information, please contact our Kazakhstan office at: kazakhstan@agip.com

Use of Drones in India – Regulation and IP protection

By: Rohit Singh, Head - Patents, Abu-Ghazaleh Intellectual Property (AGIP), India

Come December 1st 2018 and it would be possible to spot a few drones crowding the skies in India. The Directorate General of Central Aviation (DGCA) has released a new policy for operation of Remotely Piloted Aircrafts (RPAs), such as drones.

The policy puts drones into five different categories – Nano (up to 250gm), Micro (250gm to 2kg), Small (2kg to 25kg), Medium (25kg to 150kg) and Large (greater than 150 kg).

Anyone planning to import an RPA needs to obtain an approval from DGCA, except for the Nano category. The DGCA will also issue a non-transferrable Unique Identification Number (UIN) along with a permit which is valid for five years. The policy stipulates that RPAs shall be flown by someone 18 years of age and above, who has passed 10th grade public exam in English and has undergone ground or practice training (basic radio telephony techniques, flight planning, Air Traffic Control procedures, knowledge of flight and aerodynamics etc.) approved by the DGCA.

The operator shall be responsible for the safety, security and access control of RPAs and in the event of any breach or damage, the same needs to be informed to the DGCA.



If the RPA is permanently damaged then the operator has to apply to DGCA for cancellation of the UIN. Any sale of RPAs requires permission from DGCA, and a fresh UIN shall be issued to the new user.

RPA operations are restricted to daytime only, within Visual Line of Sight (VLOS) with a minimum ground visibility of 5km and cloud ceiling not less than 450m. RPAs cannot be flown within 5km of the perimeter of the airports in Delhi, Mumbai, Kolkata, Bengaluru and Hyderabad. Further, RPAs cannot drop items unless cleared or transport any hazardous materials such as explosives and cannot be flown in a manner that can cause danger to any person or property.

Drones can be used to survey damage, in the military (bomb detection), take part in archaeological surveys

(infrastructure maintenance), in agriculture, in law enforcement (surveillance, monitoring large crowds etc.), to deliver packages, help protect wildlife, and in geographical mapping, advertising, filming and journalism.

With the issuance of this policy, the government has realized the huge potential of the aviation sector to push the country's economic growth. Goldman Sachs Research estimates a \$100 billion global market opportunity for drone companies by 2020.

The latest improvements in technology can lead to significant changes in drones and hence it is critical to protect the design, methods of operation, applications, drone software, etc.

A search in the official database of Indian Patent Office uncovered 15 patent publications related to drones, nine patent publications related to fiducials and one Design application for drone technology. It is interesting to note that Amazon Technologies Inc. has filed a patent application No. 201717028524 pertaining to a system for maintaining a threshold distance between a robot and a worker in workspace. Another patent application No. 201717016012 relates to a multi-scale fiducial and a method for capturing images was filed. They have already been granted a patent by the United States Patent and Trademark Office for a delivery drone that can respond to human gestures. Further, Indian Institute of Science Education and Research Mohali (IISERM) got a Design (application No. 267526) registration for a drone that can detect radioactivity.

India's National IPR policy was approved on May 12th 2016 and the recent policy for operation of RPA is in line with the IPR policy.

The IPR policy is widely regarded as a visionary piece of legislation which is in compliance with the World Trade Organization agreement on TRIPS (Trade related aspects of IPRs) and aims to sustain entrepreneurship. The policy has seven objectives – increasing IPR awareness, stimulating the generation of IPRs, having strong and effective IPR Laws, modernizing the administration of IP Offices, commercializing the

IPRs, strengthening the enforcement and adjudicatory mechanisms, and expanding the human resources and skill building in IPRs.

The policy aims to push IPRs as marketable financial assets. It will be reviewed every five years. Significant efforts are being made to fully modernize IP offices. Also, the government hired 100 trademark examiners in 2017, and proposed to hire more than 250 patent examiners in 2019. The waiting time for the examination of trademark applications has been reduced from 13 months to 8 months, similarly, the examination of patent applications has been ramped up with reduced time limits for responding to first examination reports from 12 months to 6 months.

IP Offices are now dishing out decisions rapidly, leading to early grant of IP applications. The policy did not touch Section 3(d) of the Patents Act – which sets the standard for non-patentable inventions especially with respect to new form of known substances.

While juxtaposing the new policy for operation of Remotely Piloted Aircrafts (RPA) with the Indian national IPR policy, it can be seen that India is very serious about adopting new technology which can boost the country's GDP. India is an agrarian economy, the use of drone technology can be used to make agriculture more efficient, avoiding famines and managing the recent floods of Kerala better. A report from May 2016 by PwC pegs the agricultural drones market to be worth a whopping \$32.4 billion.

Drone technology is also set to revolutionize modern warfare, especially military and defense operations. The government can achieve preventive, predictive and protective response based on data collected by drones, and this can prove vital during critical events like airstrikes – where a target cannot be surveyed before striking. This can lead to a substantial reduction in collateral damage.

It is fascinating to see how the combination of drone technology, intellectual property and big data will change the future. In long run, the IP owners of drone technology, licensees and government will benefit the most.

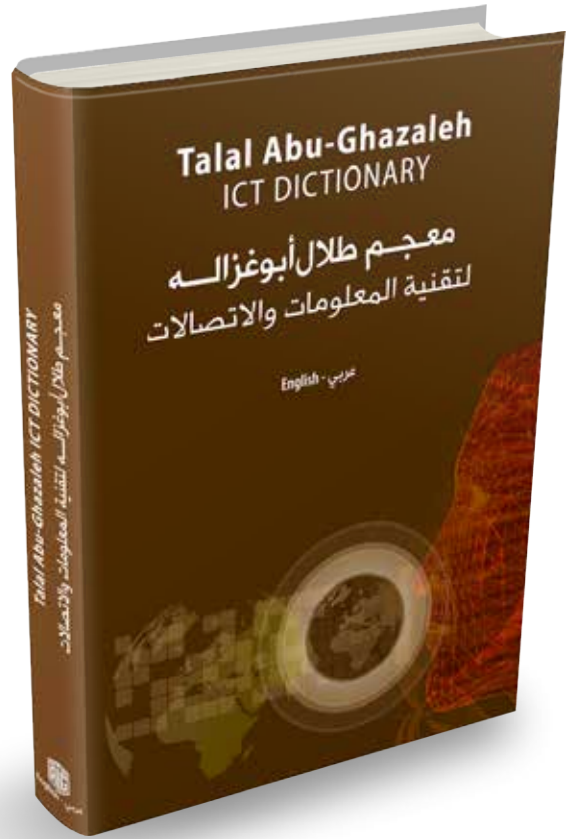
When and Where to Meet AGIP Professionals



Who	Event	Where	When
Dima Naber (AGIP Counsel, International Business Development Executive Director) Georgina Busku (Hungary Office) Francesca Gesue (Italy Office)	PTMG Autumn	Dubrovnik, Croatia	October 3 – 6, 2018
Abhishek Rohra (AGIP India office)	INTA Asia Pacific Conference	Sydney, Australia	October 11 – 12, 2018
Nabil Salamé (Vice-president Marketing, Executive Director)	LES/ USA Canada Annual Meeting	Boston, USA	October 22 – 25, 2018
Nabil Salamé (Vice-president Marketing, Executive Director) Motasem Abu-Ghazaleh (National Business Development Executive Director) Vikram Paul (TAG-Legal) Ahmad Al-Zoubi (Canada office)	AIPLA Annual Meeting	Washington, DC	October 25 – 27, 2018

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 the Editorial Department of Abu-Ghazaleh Intellectual Property (AGIP)
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 Mrs. Iman Salameh

Second Updated Version of TAG-ICT Dictionary Issued



AMMAN - Talal Abu-Ghazaleh Organization (TAG-Org) has issued the second updated version of TAG-ICT Dictionary, after updating its input and inserting a new set of terms used in daily life, due to the fact that past months witnessed the launch of a large number of concepts, terms, technologies, application and protocols of communication.

HE Dr. Talal Abu-Ghazaleh, TAG-Org chairman, said in the dictionary introduction that ICT plays a significant role in our life, and helps our society change into a Knowledge society.

He added that the contribution value of individuals or groups is measured by the contributions produced by thought and innovation.

For example, it has been easy and necessary to teach the new generation throughout all stages, using electronic means.

Dr. Abu-Ghazaleh reiterated his intention to continue updating and developing the dictionaries issued by TAG-Org which are, in addition to TAG-ICT Dictionary: Talal Abu-Ghazaleh Intellectual Property Dictionary, TAG Dictionary of Legal Terms, TAG Accountancy and Business Dictionary, Talal Abu-Ghazaleh Dictionary of Patents and Talal Abu-Ghazaleh Collocations Dictionary.

He also explained that these publications aim at enriching the Arabic language references, and contribute to knowledge dissemination amongst students and all business sectors, through specialized scientific and professional publications.

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