



TRADEMARK
PATENT
DESIGN
COPYRIGHT
DOMAIN NAME

TRADEMARK

REGISTRATION

Information:

MEMBERSHIP

WIPO, TRIPS and Paris Convention

CLASSIFICATION

8th edition — single class application.

Beer, ale and porter Class 32, alcoholic goods in class 33, and pork meat in class 29 cannot be registered.

CLAIMING PRIORITY

Possible

SEARCH/TIME FRAME

Possible for work and device marks / Unofficial search takes 5 – 10 working days

EXAMINATION

On formal, absolute, and relative grounds

EXTENSION OF TIME

Not possible for filing oppositions, counter oppositions, and responding to office actions

VALIDITY

10 years as from the filing date

RENEWAL

For unlimited period of 10 years each

GRACE PERIOD

6 months

USE

Vulnerable to cancellation by any interested party if there has been no effective use of the mark for a period of 5 consecutive years preceding date of filing for cancellation

Requirements:

1. A Power of Attorney duly legalized up to the Kuwait Consulate;
2. Simple copy of Certificate of Incorporation or an equivalent document; and
2. Fifteen prints of the mark.

- The Power of Attorney could be filed belatedly at an extra cost.

Time frame:

- 1) Filing up to Examination: 7-10 months
- 2) Examination up to Publication: 2-3 months
- 3) Opposition Period: 30 days from the publication date
- 4) End of opposition period up to issuance of registration certificate: 2-4 months
- 5) Total estimated time frame: 12-18 months

The above time frame is for a normal/smooth processing of a trademark application, in case of no objections by the trademark examiner or no oppositions from a third party.

RENEWAL

Filing Requirements:

1. A Power of Attorney duly legalized up to the Kuwait Consulate; and
2. Certificate of registration for endorsement.

CHANGE OF NAME OR ADDRESS

Filing Requirements:

1. A Power of Attorney duly legalized up to the Kuwait Consulate;
 2. Certificate of change of name/address, legalized; and
 3. Certificate of registration for endorsement.
- May be recorded for registrations only.

ASSIGNMENT

Filing Requirements:

1. A Power of Attorney duly legalized up to the Kuwait Consulate;
 2. Deed of assignment, legalized; and
 3. Certificate of registration for endorsement.
- Trademarks may be assigned with or without the goodwill of the business concerned.
 - May be recorded for registrations only.

MERGER

Filing Requirements:

1. A Power of Attorney duly legalized up to the Kuwait Consulate;
2. Certificate of merger, legalized; and
3. Certificate of registration for endorsement.

- May be recorded for registrations only.

LICENSE

Filing Requirements:

1. A Power of Attorney duly legalized up to the Kuwait Consulate.
 - If the licensor or licensee is a Kuwaiti national, the license agreement should be recorded at the commercial registry and not the Trademark Office. A legalized extract from the commercial register would then be duly recognized by the Courts should a conflict arise.
 - May be recorded for registrations only.

PATENT

Information:

EQUIVALENT SEARCH
Not available at this time

EXAMINATION
No provisions

PUBLICATION
No provisions

OPPOSITION
No provisions

ANNUITIES
No provisions

PROTECTION TERM
20 years from filing date

Requirements:

1. A Power of Attorney duly legalized up to Kuwait Consulate;
 2. An Extract from the Commercial Register, Articles of Incorporation or Memorandum of Association, if the applicant is a company, duly legalized up to Kuwait Consulate;
 3. An Assignment Deed duly legalized up to Kuwait Consulate, if the applicant is not the inventor;
- and

4. A certified copy of the corresponding basic/foreign application, if priority is claimed.

CHANGE OF NAME OR ADDRESS

Filing Requirements:

1. A Power of Attorney duly legalized up to Kuwait Consulate; and
2. Extract from the Commercial Register, showing old and new names/addresses, legalized.

ASSIGNMENT

Filing Requirements:

1. Power of Attorney from assignee and assignor, legalized; and
2. Deed of Assignment , legalized

MERGER

Filing Requirements:

1. Power of Attorney from new moral entity, legalized; and
2. Merger document, legalized.

LICENSE

Filing Requirements:

1. Power of Attorney from licensee and licensor, legalized; and
2. Licensing agreement, legalized.

DESIGN

Information:

DURATION

10 years from filing date

EXAMINATION

As to form, novelty, and industrial applicability

APPLICATION WITH MULTIPLE FIGURES

Admissible for up to 50 figures

RENEWAL

Allowed for one term of 5 years

Requirements:

1. A Power of Attorney duly legalized up to Kuwait Consulate;
2. An Extract from the Commercial Register, Articles of Incorporation or Memorandum of Association, if the applicant is a company, duly legalized up to Kuwait Consulate;

3. An Assignment Deed duly legalized up to Kuwait Consulate, if the applicant is not the inventor; and
 4. Title and brief description of the design with two copies of its drawings.
- All documents may be submitted within 3 months from the filing date

COPYRIGHT

Information:

MEMBER OF BERNE CONVENTION

No. However, Kuwait has been a member of the WTO since January 01, 1995. Accordingly, the provisions of the Berne Agreement are incorporated by reference into the TRIPS Agreement of the WTO PROTECTION. In March 1986, Kuwait joined the Arab Convention for the Protection of Copyright, which was ratified by the conference of ministers of cultural affairs in Baghdad in November 1981. Accordingly, a copyright need not be granted or obtained in Kuwait through official registration. Once an idea has been reduced to tangible form in any member state of the Convention, the copyright holder, regardless of nationality, is entitled to enforce his or her exclusive rights, provided that reciprocity was applied between his or her country and the member state.

REGISTRATION

Possible for nationals only

DURATION

In general, the duration is the artist's life with the addition of 50 years following the artist's date of passing

WORKS PROTECTED

Written works; Works communicated orally (lectures, addresses, religious sermons, or similar works); Dramatics and dramatic-musical works; Musical compositions with or without words; Choreographic works and pantomimes; cinematography and audio-video broadcasting works; Works of drawing, painting, architecture sculpture, engraving and lithography; Photographic works; Works of applied art whether handicraft or produced by industrial process; Illustrations, maps, plans, sketches and three-dimensional works related to geography, topography, architecture or science; Computer works such as programs, databases, and similar works; Works derivative or translated (from original works)

PENALTIES

Penalties include payment of fines of up to 500 Dinars (approximately 1,750 US Dollars), as well as legal prosecution resulting in a maximum of 1-year imprisonment terms

DOMAIN NAME

Requirements:

1. A Power of Attorney duly legalized up to Kuwait Consulate; and
2. An Extract from the Commercial Register, Articles of Incorporation or Memorandum of Association, if the applicant is a company, duly legalized up to Kuwait Consulate.