



TRADEMARK
PATENT
DESIGN
COPYRIGHT
DOMAIN NAME

TRADEMARK

REGISTRATION

Information:

MEMBERSHIP

WIPO and Paris Convention

CLASSIFICATION

8th edition — single class application.

Class 33, alcoholic goods in class 32, and pork meat in class 29 cannot be registered

CLAIMING PRIORITY

Possible

SEARCH

Possible for word and device marks

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

12 months from the protection's expiry date

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 the date of filing for cancellation

Requirements:

1. A Power of Attorney duly legalized up to the Yemen Consulate;
2. An Extract from the Commercial Register or Articles of Incorporation duly legalized up to the Yemen Consulate with a certified English translations; and
3. Fifteen prints of the mark.

- A general POA may be used for subsequent filings.
- The application can be filed without its complete documents, however, the original legalized documents must be submitted within 30 days after filing the application since it is not possible to extend the deadline for filing the same, and otherwise the application will be abandoned.
- Priority document may be submitted within 1 month from the date of filing

Time frame:

- 1) Filing up to Examination: 3-5 months
- 2) Examination up to Publication: 1 month
- 3) Opposition Period: 90 days from the publication date
- 4) End of opposition period up to issuance of registration certificate: 1-3 months
- 5) Total estimated time frame: 8-12 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 Yemen Consulate; and
2. Copy of latest registration/renewal certificate.

CHANGE OF NAME OR ADDRESS**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Yemen Consulate; and
2. Certificate of incorporation or extract from the commercial register attesting the change of name/address of the applicant, legalized.

- May be recorded for registrations only.

ASSIGNMENT**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Yemen Consulate.
- 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 Yemen Consulate; and
 2. Certificate of merger, legalized.
- May be recorded for registrations only.

LICENSE

Filing Requirements:

1. A Power of Attorney duly legalized up to the Yemen Consulate; and
 2. License agreement, legalized.
- License recordal is compulsory in order to be effective against third parties.
 - May be recorded for registrations only.
 - Separate POAs must be submitted by licensor and licensee.

PATENT

Information:

EQUIVALENT SEARCH

Pending and granted patents are searched by title, patentee name and/or priority date

EXAMINATION

As to form, inventiveness and industrial applicability

PUBLICATION

Published in the Official Gazette upon allowance

OPPOSITION

May be filed within 90 days from publication

ANNUITIES

Due annually on the anniversary of the filing date, and for the time being, No surcharge for late payment of maintenance fees. The patent grace period will be implemented as soon as the new implementing regulation comes into force in Yemen.

PROTECTION TERM

20 years from the filing date

Requirements:

1. A Power of Attorney duly legalized up to the Yemen Consulate;
2. An Assignment Deed duly legalized up to the Yemen Consulate, if the applicant is not the inventor;
3. An Extract from the Commercial Register or Articles of Incorporation, if the application is a corporate body, duly legalized up to the Yemen Consulate;
4. A certified copy of the home application duly legalized up to the Yemen Consulate, if priority is claimed; and
5. Two copies of the specifications, claims, abstract and drawings.

CHANGE OF NAME OR ADDRESS**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Yemen Consulate (If new name);
2. Certificate of change of name/address, legalized; and
3. Extract from the commercial register, legalized.

ASSIGNMENT**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Yemen Consulate (From assignor and/or assignee);
2. Deed of Assignment, legalized; and
3. Extract from the commercial register of assignor, legalized.

MERGER**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Yemen Consulate (If new moral entity formed);
2. Certificate of merger, legalized; and
3. Extract from the commercial register, if new legal entity formed, legalized.

LICENSE**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Yemen Consulate (From licensor and/or licensee);
2. License agreement, legalized; and
3. Extract from the commercial register of licensee, legalized.

DESIGN

Information:

PROTECTION TERM

10 years from filing date

EXAMINATION

As to form, novelty and industrial applicability

APPLICATION WITH MULTIPLE FIGURES

Possible for up to 3 figures

RENEWAL

Not possible

Requirements:

1. A Power of Attorney duly legalized up to the Yemen Consulate;
2. An Assignment Deed duly legalized up to the Yemen Consulate, if the applicant is not the designer;
3. An Extract from the Commercial Register or Articles of Incorporation, if the application is a corporate body, duly legalized up to the Yemen Consulate ;
4. A certified copy of home application duly legalized up to the Yemen Consulate, if priority is claimed; and
5. Three copies of formal drawings.

• POA and copies of the design must be submitted at the time of filing, all remaining documents may be submitted within 1 month of filing date.

COPYRIGHT

Information:

MEMBER OF BERNE CONVENTION

Yes

REGISTRATION

Possible for nationals and foreigners

DURATION

Duration covers the full span of the artist's life

WORKS PROTECTED

Written scientific, literary, and artistic works; Works included in the arts of drawing, painting, carving, sculpture or architecture; Works delivered verbally, such as speeches, lectures, preachments, and the like; Dramatic works and musical plays; Music, whether accompanied by words or not; Photographic and movie works; Maps, geographical drawings, and sketches; Model works in which ever form of art it appears; Works prepared for broadcasting by radio or television; Works related to

applied arts, and in general, every work in which expression is made in writing, sound, drawing modeling, movement, and the like

LIMITATIONS ON PROTECTIONS

Compiled words, which include works other than those of the compiler, such as poetry, prose and music anthologies, as well as other compiled works, without prejudice to the rights of the original authors; Every book whose author's rights have become public property; Collected official documents, such as the texts of governmental and political announcements; Texts of laws, decrees, regulations; court decisions, and all official documents; Works which are not fit to be the subject of the right of an author, such as works that contain anthologies from tradition or folklore, or whose author is unknown

PENALTIES

Penalties include payment of fines not less than 10,000 Riyals (approximately 50 US Dollars), as well as legal prosecution resulting in a maximum of 6-month imprisonment terms

Requirements:

1. A Power of Attorney duly legalized up to the Yemen Consulate;
2. A certificate of ownership of the work duly legalized up to the Yemen Consulate; and
3. Two copies of the work.

DOMAIN NAME

Requirements:

1. A written request in the letterhead of the applicant requesting the registration of the domain name; and
2. A Power of Attorney duly legalized up to the Yemen Consulate.