



**IP AFRICA NEWS**

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## LIBYA'S TEMPORARY SUSPENSION OF TRADEMARK REGISTRATIONS BY FOREIGN APPLICANTS



Libya has issued a directive imposing restriction on foreigners registering trademarks in the country. This directive took effect on November 1, 2022. The European Commission's website captures this news as follows "Libya's trademark office has suspended the acceptance of trademark applications and registrations filed by foreign applicants".

According to the administrative directive of Libya's Ministry of Economy and Trade, the trademark office limited its operation of new trademark registrations arising from foreign applicants, while the status of pending procedures concerning foreign-owned trademarks is still not clear.

### LIST OF RESTRICTIONS

The office has reported that its activities will be limited to the following:

- It will only accept applications from companies owning national production and service units.
- It will archive issued trademark decisions.
- It will prepare information systems, in accordance with international standards, in a manner that does not violate the regulations and decisions issued, in cooperation with the Economic Information and Documentation Center.

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- The director of Libya's trademark office will submit all data not included in the Ministry's system and not circulated in accordance with the legal procedures and organizational structure of the Ministry, approved by Cabinet Decree No. (235) of 2021, and will deliver the application record from No 22099 to the last mark published in the Official Gazette and up to the last mark filed in the register.
  - It will continue to maintain the register of companies dealing with the trademark office in registering trademarks.
  - It will continue to maintain the register of transfer and assignment of ownership of trademarks.
  - This policy has significant implications for businesses seeking to operate in Libya, as the protection of IP is essential for the economic development of any country. It is necessary to understand the economic and political context that may be behind this decision.

## SHARIA LAW

Libya's legal system is based on Islamic law (Sharia), which has since become the country's official legal system following the overthrow of former leader Muammar al-Gaddafi. Religion has a significant impact on trademark registration in Libya, and this is evident within the scope of trademark protection. As the Libyan trademark law prohibits the registration of certain categories of trademarks, including those seen as 'violating public morals or public order or those that are identical or similar to symbols constituting a purely religious nature. In practice, this means that trademarks referencing banned substances are regularly refused (eg, pork products in Class 29 and alcoholic beverages in Classes 32 and 33). In addition, trademarks that incorporate non-Islamic religious symbols, such as the Christian cross or Christmas-related goods (eg, Christmas trees in Class 28) are also refused."

Indeed, without a functioning central government, there is a very challenging environment for businesses operating in the country. As a result, obtaining trademark registration can be a complex and difficult process, and there may be significant obstacles to overcoming the legal and regulatory landscape.





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# EGYPT

## **NEW INCREASE ON OFFICIAL FEES IN PATENT EXAMINATION IN EGYPT**

CAIRO - The Egyptian Patent Office, by a decree published in the Official Gazette no. 43, of 21 February 2023, the Egyptian Ministry of Higher Education and Scientific Research has increased the examination fees for patent applications in Egypt.

The Egyptian Patent office, under the purview of the Ministry, will apply an examination fee of EGP 25.000,00 (around 800 USD), an increase of EGP 8.000 compared to the previous official fees applicable.

## **GI ACCESSION BY THE REPUBLIC OF TUNISIA (NORTH AFRICA)**

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments and has the honor to notify the deposit by the Government of the Republic of Tunisia, on April 6, 2023, of its instrument of accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (Geneva Act of the Lisbon Agreement), adopted at Geneva on May 20, 2015.

The Geneva Act of the Lisbon Agreement will enter into force, with respect to the Republic of Tunisia, on July 6, 2023.

# KEY CONTACTS

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