



Intellectual Property Protection Rights in Qatar: Copyrights, Trademarks and Patents

Webinar Series: Day 1

9th August 2021

Opening Remarks & Introduction

Mirza Ali

TASMU Digital Valley

Ministry of Transport & Communications

Agenda - Day 1: Copyright & Related Rights, and Trademarks

1	Moderator Remarks & Introduction	3 mins
2	Imperative for IP Protection Rights in Qatar	7 mins
3	Introduction to Intellectual Property	5 mins
4	Copyrights Overview	15 mins
5	Trademarks Overview	20 mins
6	Q&A and Closing Remarks	10 mins

OBJECTIVE



**E2E Understanding of Copyrights,
Related Rights and Trademarks in
Qatar**

Imperative for IP Protection Rights in Qatar

Noor Nedal AbuKhadija

Partnership Lead, TASMU Digital Valley
Ministry of Transport & Communications



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TASMU DIGITAL VALLEY

Imperative for IP Protection Rights in Qatar



Qatar National Vision 2030 | Growth of Digital Sector in Qatar

Qatar National Vision 2030 aims to sustain economic prosperity in Qatar by strengthening the non-hydrocarbon economy

NON-EXHAUSTIVE

Government entities are **spending heavily on large projects** and initiatives that contribute **towards the achievement of the outcomes mandated in QNV 2030**

Qatar National Vision 2030

Human Development



Development of **all people in Qatar** to enable them to sustain a prosperous society

Social Development



Development of a **just and caring society** based on high moral standards & capable of playing role in fostering global partnerships

Economic Development



Development of a competitive and diversified economy capable securing a **high standard of living** for all its people

Environmental Development



Management of the environment such that there is **harmony between economic growth, social development and environmental protection**



Digital enablement is a theme of several key megaprojects currently ongoing in Qatar



TASMU SMART QATAR

Target investment:
\$1.6 billion



QATAR SCIENCE & TECHNOLOGY PARK

Target investment:
\$2 billion



HAMAD PORT

Target investment:
\$7.4 billion



LUSAIL CITY

Target investment:
\$45 billion

Qatar Megaprojects | Cradle for Innovation – IP Creation

Planned megaprojects in Qatar are generating demand for digital innovation to be met by IP owners



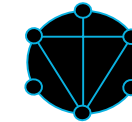
Megaprojects-led Demand for Digital Innovation



These projects are utilizing the **latest in digital solutions** and collectively constitute a powerful statement of intent from Qatar on digital

Leveraging emerging digital technologies to enable the advancement of the nation is an essential theme for government

Several major initiatives have recently been launched, creating an even more **significant market for companies wishing to invest in Qatar**



Innovation Delivery - IP Owners



Startups



Small & Medium Enterprises



MNCs

IP Owner Personas



STARTUPS & SCALEUPS

Builds a company in Qatar at a fast pace and tries to sustain business



FOREIGN-BASED

Is based in a foreign country and wants to enter the Qatar market, because of good potential business opportunities.

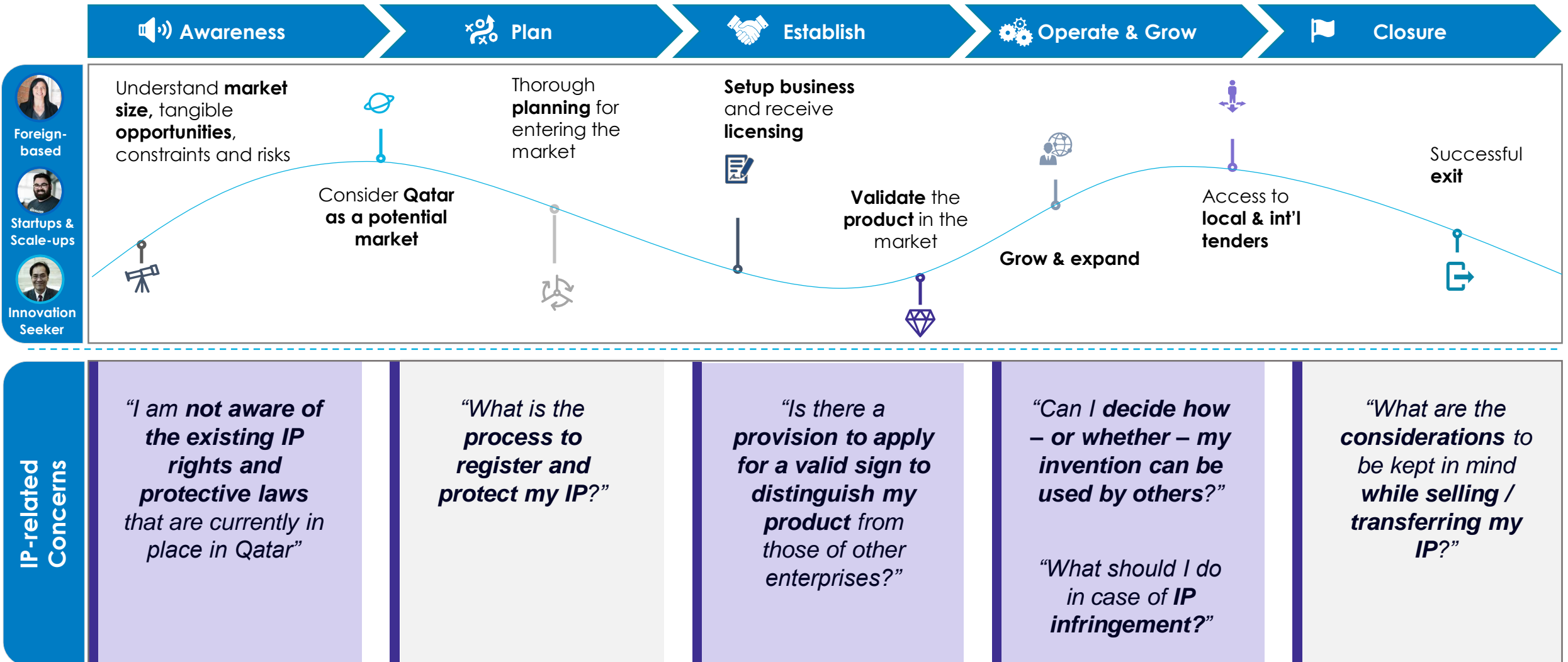


INNOVATION SEEKER

Helps to grow the innovation ecosystem in Qatar and wants to learn, build and engage with (local) startups to innovate.

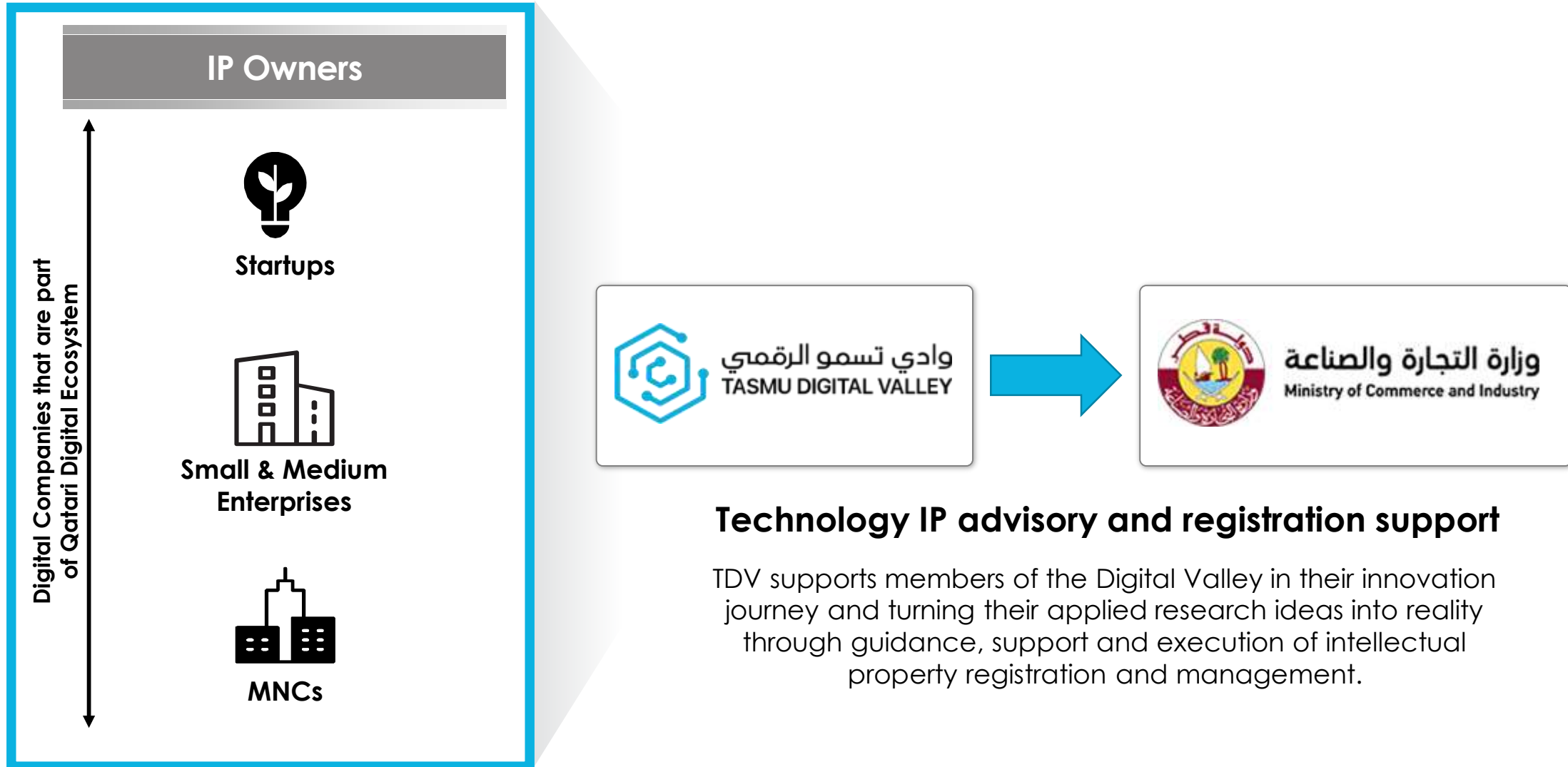
IP Owners | Concerns related to IP Protection in Qatar

Different kind of IP owners face various types of IP related challenges across their journey in Qatar



TDV Support | TDV as the IP Protection Services' Facilitator

TDV facilitates the provision of IP advisory and registration services to interested companies through collaboration with MOCI



Noor Yousef Al-Obaidli

Copyrights & Related Rights Examiner
Ministry of Commerce and Industry

Introduction to Intellectual Property

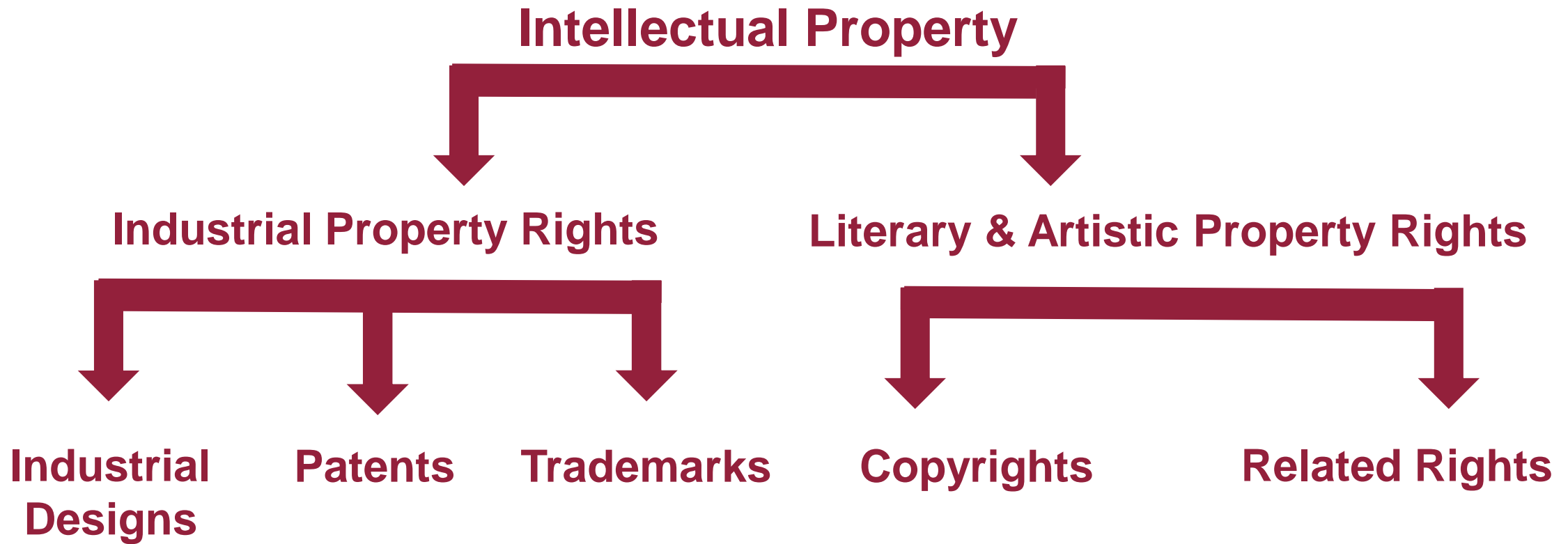


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■ Intellectual Property

- “Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, trademarks and pictures used in commerce.
- Enables innovators to earn recognition and financial benefits from their works.
- Aims to balance the interests of innovators and the wider public interests.
- Fosters an environment in which innovation and creativity can flourish.”



Copyrights and Related Rights



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■ Index:

- Copyrights and Related Rights
- Limitation and Exceptions
- National and International Laws, Conventions and Treaties
- Examination Procedures
- Registration Requirements and Fees
- Duration of Protection

■ Copyright:

“Copyright (or author’s right) is a legal term used to describe the rights that creators have over their literary and artistic works.”

Law No. 7 of 2002 on the Protection of Copyrights and Neighboring Rights: Article 2

Books, novels, poetry
& other literary works



Paintings, designs,
architecture & other
artistic works



Audiovisual
and Theatre Works



Software and
Mobile Applications



Art of Photography



Musical Works



■ **Related Rights (or neighboring rights):**

“Protects the legal interests of certain persons and legal entities that contribute to making works available to the public.”

➤ Includes: Rights of performers, producers of sound recording and broadcasting organizations.



■ Performers

(Such as: Singers/musicians)



- “Perform/interpret works of others, add their own unique flavor and value to a performance, and enjoy certain rights, known as **related rights** in their performance.”
- “Have the right to prevent fixation (recording), broadcasting and communication to the public of their live performances without their consent.”

■ Producers of sound recordings and broadcasting organization



- “Have the right to authorize or prohibit reproduction, distribution or re-broadcasting of their works.”

Copyrights

Authors have **exclusive rights** to authorize or prohibit the use of their works by others.

Financial Rights

- Translation and reproduction
- Distribution and rental to public
- Public performance

Moral Rights

- Prohibit distortion, deformation or modification to the work
- Prohibit any exploitation of the work that may effect the author's reputation negatively

■ Copyrights & Related Rights Limitations and Exceptions:

“Protected works may be used without the authorization of the copyright owner, and without payment of compensation.

These limitations referred as "**free uses**" of protected works:

- Quotations and use of works by way of illustration for educational purposes
- Reproduction of newspaper/articles for the purpose of reporting current events
- Use of works for non-commercial and private purposes.”

National and International Laws, Conventions and Treaties



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■ National and International Laws, Conventions and Treaties

- Trade Related Aspects of Intellectual Property Rights Agreement (TRIPS) - 1996
- Berne Convention For the Protection of Literary and Artistic Works - 2000
 - **Law No. 7 of 2002 on the Protection of Copyright and Neighboring Rights - 2002**
- WIPO Performances and Phonograms Treaty - 2005
- WIPO Copyright Treaty - 2005
- Rome Convention - 2017
- Marrakesh VIP Treaty - 2019
- Beijing Treaty on Audiovisual Performances - 2020



Examination Procedures



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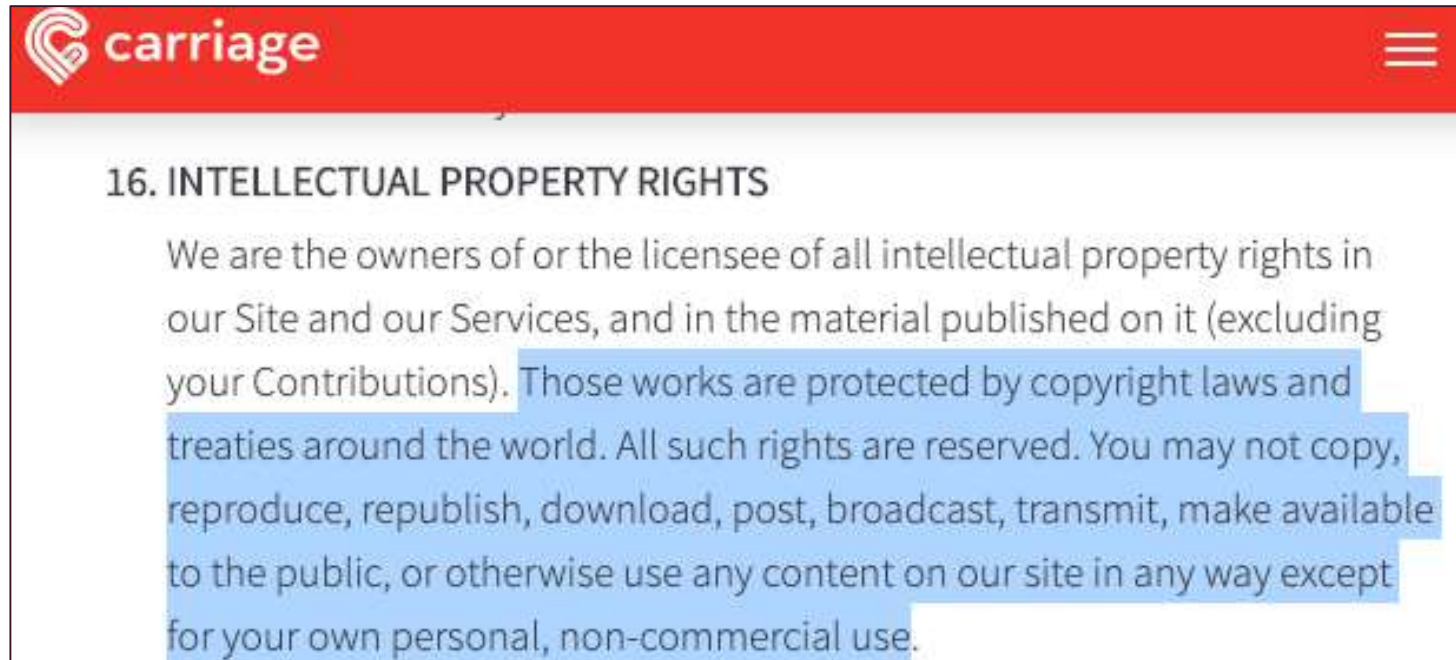
■ Copyrights Examination Involves:

- Applying the principle of “**automatic**” protection pursuant to Berne’s Convention.
- Ensuring that works are fully executed, since “copyright protection exists when an original work of authorship is fixed in a tangible medium of expression.”
- Ensuring that works filed do not fall within the scope of “**exceptions**” stated in Article 4 of **Law**

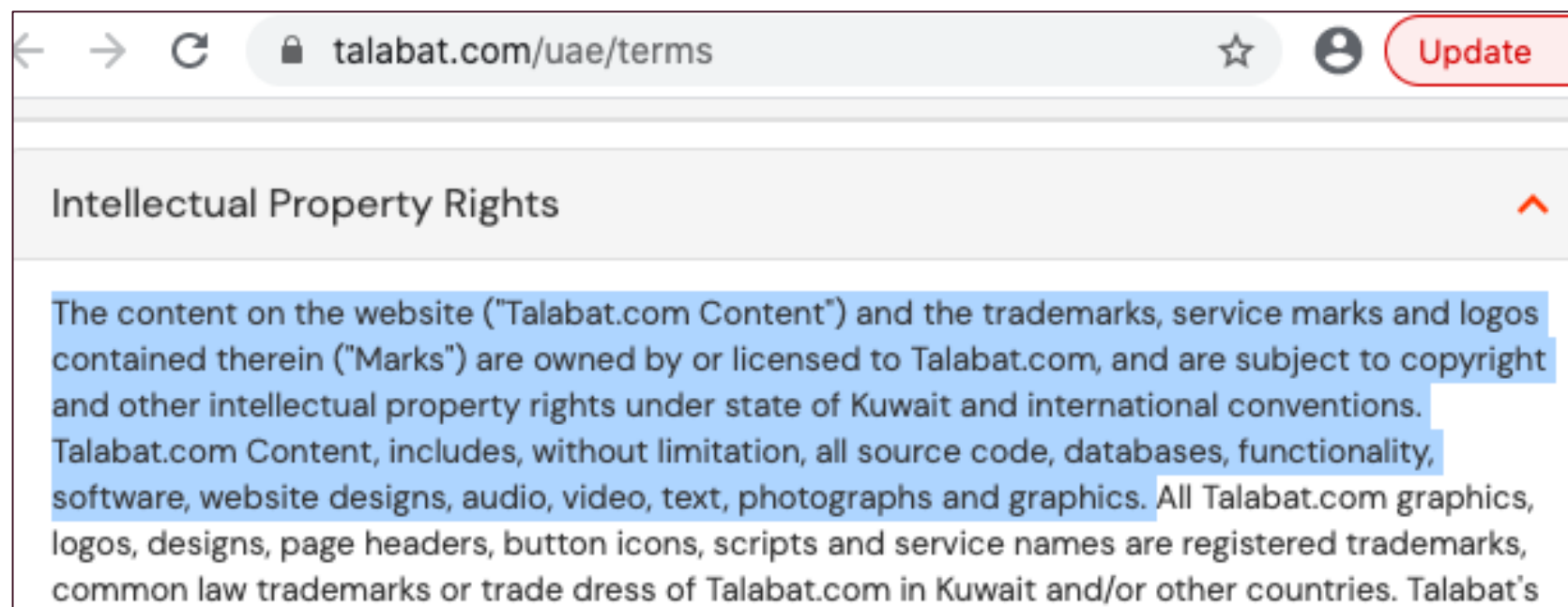
No. 7 of 2002 on the Protection of Copyright and Neighboring Rights 2002:

- “1. Laws, legal provisions, administrative decisions;
- 2. Daily news and other news that is purely media-related;
- 3. Ideas, procedures, operational methods, mathematical concepts, principles...”

■ Case Study



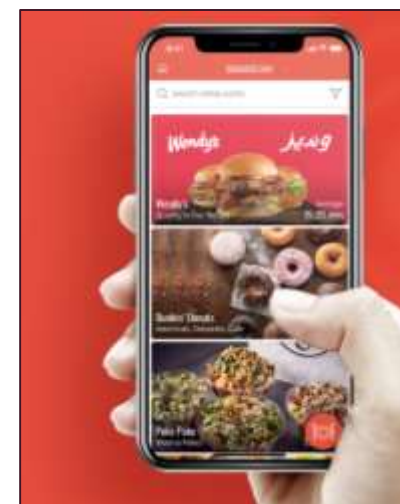
■ Case Study



■ Case Study

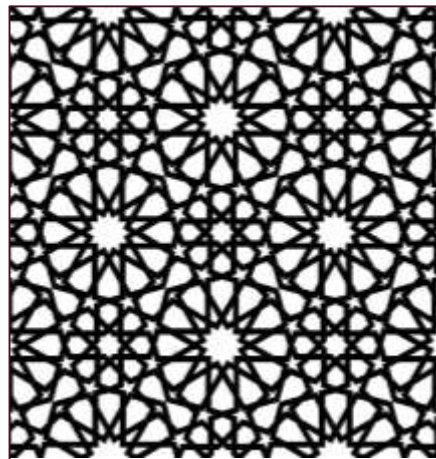
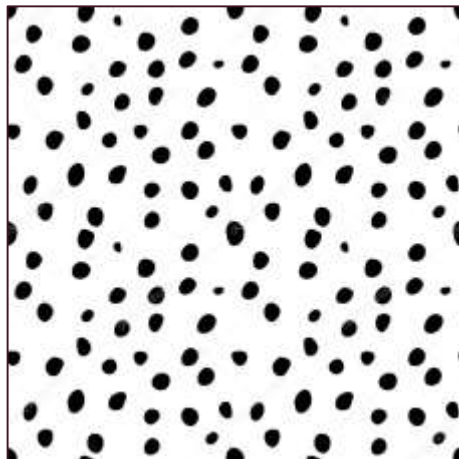


```
Dim Index As Integer
Dim intRandom As Integer
Dim intZones As Integer = Me.Controls.Count
Dim imgZone As PictureBox
ReDim Zones(intZones)
intWin = zonesX * zonesY
Randomize()
For Index = 1 To zoneMines
    intRandom = Fix((intZones * Rnd()) + 1)
    Do Until Zones(intRandom).Mines <> IMAGE_MINE
        intRandom += 1
        If intRandom > intZones Then
            intRandom = 1
        End If
    Loop
```



■ Examples of works not protected by Copyright:

- Familiar designs and symbols including: basic geometric shapes, Islamic patterns, polka dot patterns, gender symbols, religious symbols or common architecture moldings... etc.“



▪ Examples of works not protected by Copyright:

- Ideas of competitions, exhibitions and museums.
- Layout and blank forms including: common standard layouts such as diaries or reports forms... etc.”
- Short phrases or letters
- Inventions, methods of operations or recipes

Registration Requirements and Fees



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■ **Registration Requirements:**

- Copy of the work (Word/PDF)
- Softcopy of applications/software's source code
- Demo video of applications/software
- Detailed description of the work
- Artistic works should include a copy of the electronic/hand-drawn design
- Artistic works should include measurements (such as: packaging design, architecture... etc.)
- Multiple artistic works may be filed in one application (such as: jewelry set, storybook characters... etc.)
- Filling the application form (available at MOCI website)
- Copy of the commercial registration
- Copy of owner's ID

➤ **Fees: 800 QR per work**

(300 QR Registration + 500 QR Certificate Issuance)

Duration of Protection



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Duration of Protection

▪ Financial Rights

➤ **Works of Individuals & Joint Authorship:**

Protection begins once created and lasts for 50 years after the death of the last author.

➤ **Collective Works & Audiovisual Works:**

Protection begins once published and lasts for 50 years.

▪ Moral Rights

➤ Moral rights are perpetual and transferable by inheritance after the author's death.

Fatima Ibrahim Alderham

Trademarks Examiner

Ministry of Commerce and Industry

Trademarks



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■ Index:

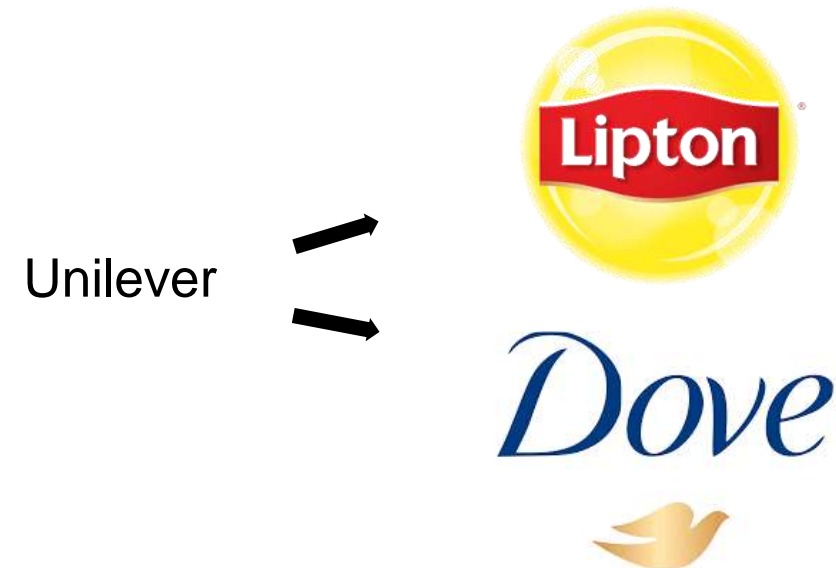
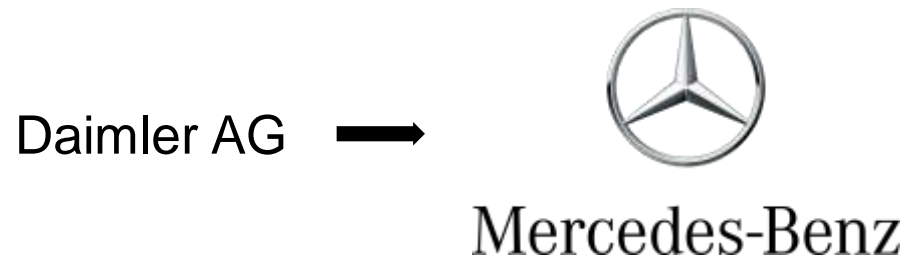
- Trademarks
- Laws and Treaties
- Application Process
- Examination Process
- Registration Process
- Duration of Protection
- Scope of Protection

■ Trademarks

- A trademark is any clear visible sign that can distinguish goods and services of a specific enterprise from others.
- Trademarks can be words, logos, symbols, stamps, or signatures.

■ Trademarks and Trade Names

- A Trademark is not the same as a Trade name. A Trade name is the official name under which an individual or a company operates.



Laws and Treaties



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■ Laws and Treaties

- Law No.9 of 2002 with respect to Trademarks, Trade Indications, Trade names, Geographical Indications and Industrial Designs and Templates 9/2002.
- Paris Convention for the Protection of Industrial Property.
- TRIPS Agreement (The Agreement on Trade-Related Aspects of Intellectual Property Rights).
- The Nice Agreement.

■ Article (8) Law No. 9 of 2002 regarding Trademarks and Trade Names:



- Signs free of any distinctive character, or which are mere descriptions of the goods or services.

DAMN GIRL!

- Any term, design or sign contrary to morality or public order.

■ Article (8) Law No. 9 of 2002 regarding Trademarks and Trade Names:



- Public emblems, flags and other symbols and names relating to a country or an international organization, or any imitation of the above unless with prior written approval of the relative authority.

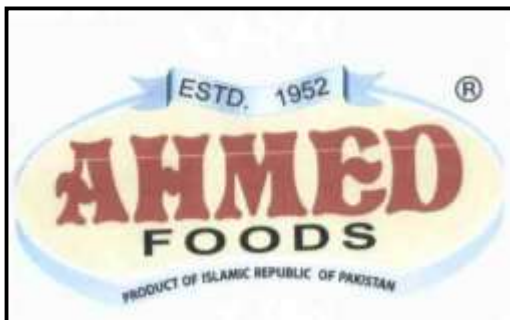


- Official signs and hallmarks of any country or relating to its control or guarantee of goods or services, unless with a prior written approval of the relevant authority.

■ Article (8) Law No. 9 of 2002 regarding Trademarks and Trade Names:



- Symbols which are identical or similar to the red crescent or the red cross.



- Picture, name or emblems of a third party unless with prior written approval.

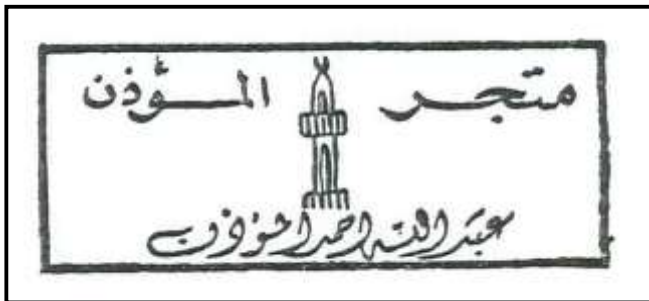
■ Article (8) Law No. 9 of 2002 regarding Trademarks and Trade Names:



➤ Indications of honorary distinctions to which the applicant cannot prove that he is entitled.

➤ Signs which are identical or confusing to the general public to a mark already registered, or signs that are widely famous even though they are not registered in Qatar.

■ Article (8) Law No. 9 of 2002 regarding Trademarks and Trade Names:



- Signs likely to deceive the public or to which contain false details as to the origin or other characteristic of the goods or services.
- Signs which are identical or similar to symbols of a religious nature.

Application Process



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■ Application Process

- Fill application form.
- Copy of Commercial Register.
- Copy of Trademark.
- Copy of applicant's ID.
- Authorization of agent (if applicable).

- Application fees are:

- Single marks: 1000 QAR
- A group of marks: 1500 QAR

Examination Process



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■ Examination Process

The IPAS (Industrial Property Administration System) system is used to examine marks and come out with a final decision. The office looks at the application in hand and checks for any violations with the provisions of the law and comes out with a decision.

Rejection

Acceptance
with
restrictions

Acceptance

■ Examination Process

- In case of violations, the office may reject or impose whatever restrictions or modifications needed for the mark to be registered more accurately, and the applicant will be notified of this decision within 1-2 months.
- If the applicant fails to comply with the requirements within a period of 6 months, the application will be deemed null.

■ Examination Process

- The applicant may within 60 days appeal against the decision of the office, and the appeal shall be decided by a committee within the ministry.

- Appeal fees are: 1000 QAR

- The applicant may appeal against the decision of the committee to the relevant civil court within 60 days from the date he is notified of the decision.

Registration Process



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■ Registration Process

- In the event the mark is accepted, or the resolution or decision mentioned previously is in favor of the applicant, the office shall publicize the mark in the Gazette.
- The gazette is a monthly book produced by the ministry containing all the Trademarks registered within the previous month.
 - Gazette publication fees: 325 QAR

■ Registration Process

- Any person concerned may submit a notice in writing of their opposition to the registration of a mark, stating their reasoning, within a period of 4 months after the mark is publicized.
 - If no issues arise, the mark shall be registered and recorded in the registry. The registration shall have effect as from the date of filing the application.
- Registration fees: 2025 QAR

Duration of Protection



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■ Duration of Protection

- The duration of the protection of a mark is 10 years from the date of filing the application, and the owner has the right to renew the protection.
- Renewal fee must be paid within the final year of the current protection period.
 - Renewal fee: 2025 QAR

■ Duration of Protection

- A period of 6 months shall be granted for the payment of the renewal fee after the expiry of the current protection period.

- Renewal fee after expiration: 5025 QR

- A mark that has not been renewed, cannot be registered by a third party until at least 3 years have passed.

Scope of Protection



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■ Scope of Protection

- Trademarks registered in Qatar acquire national protection.

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