

Translation of

the Protection of
Intellectual Property
Rights Law
No. 82 of 2002

ترجمة قانون حماية حقوق الملكية
الفكرية رقم ٨٢ لسنة ٢٠٠٢

30 October 2025

**Law No. 82 of 2002 Concerning Issuance of the Law on the Protection of Intellectual
Property Rights**

In the name of the people President of the republic

Preamble

The People's Assembly has enacted the following Law, and we have promulgated it:

Promulgation Articles

Article (1):

The provisions of the accompanying Law on the Protection of Intellectual Property Rights shall come into force.

Article (2):

The following laws shall be repealed:

- (a) Law No. 57 of 1939 concerning Trademarks and Trade Indications.
- (b) Law No. 132 of 1949 concerning Patents, Industrial Designs, and Models, except for the provisions relating to patents of chemical products pertaining to food and pharmaceutical chemical products, which shall be repealed as of 1 January 2005.
- (c) Law No. 354 of 1954 concerning the Protection of Copyright.

Any provision contrary to the provisions of the accompanying Law shall likewise be repealed.



Article (3):

The Executive Regulations of this Law shall be issued by the Council of Ministers, upon the proposal of the competent ministers, within a period not exceeding one month from the date on which this Law comes into force.

Each competent minister shall issue, within the scope of his jurisdiction, the decisions necessary for the implementation of the provisions of the accompanying Law.

Each minister, within his competence, shall take the necessary measures to protect public health and nutrition, or to promote vital sectors in the social, economic, and technological fields, within the limits of the provisions of the accompanying Law.

Each minister, within his competence, may also take measures under this Law to prevent holders of intellectual property rights from abusing their rights or resorting to practices that unduly restrict trade or adversely affect the international transfer of technology, all in the manner prescribed in the accompanying Law.

Article (4):

This Law shall be published in the Official Gazette and shall come into force on the day following the date of its publication, except for the provisions relating to patents for chemical products pertaining to food, pharmaceutical chemical products, microorganisms, and products that were not protected prior to the issuance of this Law, which shall come into force as of 1 January 2005, without prejudice to the provisions of Articles (43) and (44) of the accompanying Law.

This Law shall bear the Seal of the State and shall be enforced as one of its laws.



Law on the Protection of Intellectual Property Rights

Book One – Patents, Utility Models, and Layout Designs for Integrated Circuits

Chapter One – Patents and Utility Models

Article (1):

A patent shall be granted, in accordance with the provisions of this Law, for any invention that is industrially applicable, novel, and involves an inventive step, whether the invention relates to a new industrial product, an innovative industrial process, or a new application of a known industrial process.

A separate patent shall likewise be granted for any modification, improvement, or addition to a previously patented invention if the modification, improvement, or addition satisfies the conditions of novelty, inventive step, and industrial applicability as defined in the preceding paragraph. The patent shall be granted to the owner of such modification, improvement, or addition in accordance with the provisions of this Law.

Article (2):

A patent shall not be granted for the following:

- Inventions whose exploitation would prejudice national security, public order, morality, or cause serious harm to the environment, or endanger human, animal, or plant life or health.
- Discoveries, scientific theories, mathematical methods, programs, and schemes.
- Methods for the diagnosis, treatment, and surgery of humans or animals.



- Plants and animals, whatever their rarity or uniqueness, as well as essentially biological processes for the production of plants or animals, other than microorganisms and non-biological or microbiological processes for the production of plants or animals.
 - Organs, tissues, living cells, natural biological substances, DNA, and genomes.
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Article (3):

An invention shall not be considered new, in whole or in part, in the following cases:

- If a patent application has already been filed or a patent granted in Egypt or abroad for the same invention or any part thereof before the filing date of the application.
- If the invention has been previously used, exploited, or disclosed publicly in Egypt or abroad in a manner that enables a person skilled in the art to apply it before the filing date of the patent application.

However, disclosure of the invention in national or international exhibitions during the six months preceding the filing date of the patent application shall not be deemed disclosure within the meaning of the preceding paragraph.

The Executive Regulations shall specify the procedures and conditions for disclosure of an invention.

Article (4):

Without prejudice to the provisions of international agreements in force in the Arab Republic of Egypt, any natural or legal person of Egyptian nationality, or any foreigner who belongs to, or has a real and effective industrial or commercial establishment in, a state or entity that is a member of the World Trade Organization or that accords reciprocal treatment to Egypt, shall have the right to apply for a patent with the Egyptian Patent Office and enjoy the rights deriving therefrom in accordance with this Law.



Nationals of all WTO member states shall benefit from any advantage, preference, privilege, or immunity granted by any other law to the nationals of any country with respect to the rights set forth in this Part, unless such advantage, preference, or immunity arises from:

- Agreements on judicial assistance or general law enforcement;
- Agreements relating to the protection of intellectual property rights which became effective before 1 January 1995.

Article (5):

A special register shall be maintained at the Patent Office, duly certified, in which patent and utility model applications, and all data relating thereto, their exploitation, and any transactions concerning them shall be recorded, in accordance with the provisions of this Law and as specified in its Executive Regulations.

Article (6):

The right to a patent shall belong to the inventor or to whoever the inventor's rights have devolved upon.

If the invention is the result of joint work by several persons, the right to the patent shall belong to them jointly, unless they agree otherwise.

If more than one person independently makes the same invention, the right to the patent shall belong to the first to file the application.

Article (7):

Where a person has commissioned another to make a specific invention, all rights arising from that invention shall belong to the person who commissioned it.



Likewise, the employer shall have all rights in inventions made by an employee or worker during the course of employment or pursuant to an employment contract, provided the invention falls within the scope of the contract or the employment relationship.

The inventor's name shall be mentioned in the patent, and he shall be entitled to remuneration for his invention. If such remuneration is not agreed upon, the inventor shall be entitled to a fair compensation from the person who commissioned the invention or from the employer.

In cases other than the foregoing, where the invention falls within the activities of the public or private establishment to which the inventor is affiliated, the employer shall have the option either to exploit the invention or to purchase the patent against fair compensation payable to the inventor, provided that such choice is made within three months from the date of notification of the grant of the patent.

In all cases, the invention shall remain attributed to the inventor.

Article (8):

An application filed by the inventor for a patent within one year from the date of leaving a public or private establishment shall be deemed as having been filed during the term of employment, and both the inventor and the employer shall enjoy the rights provided for in the preceding article, as the case may be.

This period shall be extended to three years if the employee joins or establishes a competing establishment, and the invention results directly from his prior activities or experience in the establishment in which he had worked.

Article (9):

The duration of patent protection shall be twenty (20) years from the filing date of the patent application in the Arab Republic of Egypt.



Article (10):

The patent shall confer upon its owner the exclusive right to prevent others from exploiting the invention in any manner.

The patent owner's right to prevent others from importing, using, selling, or distributing the patented product shall be exhausted once the product has been marketed in any country, or when the patent owner has licensed such marketing.

The following acts shall not constitute infringement of the patent owner's rights:

- Acts relating to scientific research purposes.
- Manufacture, use, or preparation by a third party in Egypt of a product, or the use of a process for manufacturing a particular product, or making serious preparations for such acts prior to the filing date of another's patent application, provided the party is acting in good faith. Such third party shall, despite the grant of the patent, retain the right, for his own establishment only, to continue performing the same acts, without extension, and such right may not be transferred except together with the establishment itself.
- Indirect use of the patented process to produce other products.
- Use of the invention in land, sea, or air transport vehicles belonging to a state or entity that is a member of the WTO or accords reciprocal treatment to Egypt, when such vehicles temporarily or accidentally enter Egyptian territory.
- Manufacture, assembly, use, or sale of the patented product during the protection period for the purpose of obtaining a marketing license, provided that marketing occurs only after expiry of such period.
- Any other acts by third parties, provided they do not unreasonably conflict with the normal exploitation of the patent and do not unreasonably prejudice the legitimate interests of the patent owner, taking into account the legitimate interests of others.



Article (11):

A fee shall be payable upon filing a patent application, as well as an annual fee that increases progressively from the beginning of the second year until the expiry of the patent term.

The Executive Regulations shall determine the value of these fees, which shall not exceed two thousand Egyptian pounds upon filing the application, nor one thousand pounds for the annual fee.

The Regulations shall also determine the rules for reduction and exemption of such fees.

The applicant shall bear the fees of experts engaged by the Patent Office and the costs of examination.

Article (12):

A patent application shall be filed by the inventor or by the person to whom the rights have devolved, with the Patent Office, in accordance with the procedures and conditions prescribed in the Executive Regulations of this Law.

The patent application may not include more than one invention; however, a group of inventions constituting a single inventive concept shall be deemed one invention.

Article (13):

The patent application shall be accompanied by a detailed description of the invention containing a full disclosure of the subject matter and the best mode known to the inventor for carrying it out, for each product or process covered by the application.

The description shall clearly indicate the novel elements for which protection is sought and shall be accompanied, where appropriate, by a technical drawing of the invention.

If the application relates to an invention involving biological plant or animal materials, traditional medical, agricultural, industrial, or handicraft knowledge, or cultural or environmental heritage, the inventor must have lawfully obtained the source thereof.



If the application concerns microorganisms, the applicant shall disclose such organisms and deposit a live culture thereof with the authority designated by the Executive Regulations.

Subject to Article (38) of this Law, the applicant shall in all cases provide full information on any corresponding applications previously filed abroad for the same or related invention and on the results of those applications.

The Executive Regulations shall determine the documents to be attached to the patent application, the time limits for their submission, and the circumstances in which the application may be rejected.

Article (14):

The Patent Office may require the applicant to make any amendments or provide any clarifications to the application deemed necessary in accordance with Article (13) of this Law, as specified in the Executive Regulations.

If the applicant fails to comply within three months from the date of notification, the application shall be deemed withdrawn.

The applicant may appeal the decision of the Patent Office concerning such a requirement before the committee referred to in Article (36) of this Law within thirty days, following the procedures set out in the Executive Regulations.

Article (15):

The patent applicant may, at any time prior to the announcement of acceptance of the patent application, submit a request to amend the specifications or drawings of the invention, stating the nature and reasons for such amendment, provided that the amendment does not affect the essence of the invention. The same procedures applicable to patent applications shall apply to such amendments.



Article (16):

The Patent Office shall examine the patent application and its attachments to verify that the invention is new, involves an inventive step, and is industrially applicable in accordance with Articles (1), (2), and (3) of this Law.

If these conditions are satisfied and the requirements under Articles (12) and (13) are met, the Patent Office shall announce the acceptance of the application in the Patent Gazette in the manner prescribed by the Executive Regulations.

Any interested party may file a written objection to the continuation of patent-granting procedures by notifying the Patent Office of the grounds for objection within sixty days from the date of publication of the announcement in the Patent Gazette, following the procedures set forth in the Executive Regulations.

The objector shall pay a fee determined by the Executive Regulations, not less than one hundred pounds and not exceeding one thousand pounds, refundable if the objection is upheld.

Objections shall be decided upon by the committee referred to in Article (36) of this Law in accordance with the procedures prescribed by the Executive Regulations.

Article (17):

The Patent Office shall, as appropriate, transmit copies of patent applications relating to defense, military production, public security, or having military, security, or health value to the Ministry of Defense, the Ministry of Military Production, the Ministry of Interior, or the Ministry of Health, together with their attachments, within ten days from the completion of examination, and shall notify the applicant within seven days from the date of such transmission.

The Minister of Defense, the Minister of Military Production, the Minister of Interior, or the Minister of Health, as the case may be, may object to the announcement of acceptance of the patent application within ninety days from the date of transmission.



After the announcement of acceptance, the competent minister may object to the continuation of the patent-granting procedures if the application is found to concern defense, military production, public security, or to have military, security, or health value. Such objection shall be made within ninety days from the date of publication of the announcement of acceptance in the Patent Gazette.

The filing of an objection in such cases shall suspend the patent-granting procedures.

Article (18):

A fund shall be established to stabilize the prices of medicines not intended for export. The fund shall have legal personality and shall be affiliated with the Minister of Health and Population, for the purpose of promoting public health and ensuring that such prices are not affected by emerging fluctuations. The organization of the fund and the determination of its resources shall be issued by a decree of the President of the Republic, provided that among these resources are contributions accepted by the State from donor countries and international governmental and non-governmental organizations.

Article (19):

No announcement of the acceptance of a patent application shall be made until the lapse of one year from the date of its filing, and the application shall remain confidential during that period.

The patent shall be granted by a decision of the competent minister or his delegate, and such decision shall be published in the Patent Gazette in the manner prescribed by the Executive Regulations of this Law.



Article (20):

Upon the announcement of acceptance of the application, any person may inspect the application, its documents, and the entries concerning it in the Patent Register. Any person may also obtain copies thereof upon payment of a fee to be determined by the Executive Regulations of this Law, not exceeding one thousand Egyptian pounds, and in accordance with the procedures set out therein.

Article (21):

Ownership of a patent may be assigned, in whole or in part, for consideration or without consideration; it may also be pledged or made subject to a usufruct right. Without prejudice to the provisions governing the sale and pledge of commercial establishments, ownership of the patent, its pledge, or the creation of a usufruct over it shall not be effective against third parties except from the date of annotation thereof in the Patent Register.

Publication of the assignment, pledge, or creation of a usufruct shall be made in accordance with the procedures specified by the Executive Regulations.

Article (22):

A creditor may levy attachment on the patent of his debtor in accordance with the rules governing attachment of movables in the debtor's possession and in the hands of third parties; the Patent Office shall not be bound by the provisions concerning the garnishee's declaration of indebtedness to the judgment debtor.

The creditor must notify the Patent Office of the attachment and of the minutes of the auction award for annotation in the register; neither shall be effective against third parties except from the date of such annotation.

Notice of the attachment shall be published in the manner prescribed by the Executive Regulations of this Law.



Article (23):

The Patent Office—after the approval of a ministerial committee formed by decision of the Prime Minister—shall grant compulsory licenses for the exploitation of an invention, and the committee shall determine the financial rights of the patent owner upon issuing such licenses, in the following cases:

First: Where the competent minister, as the case may be, considers that exploitation of the invention achieves any of the following:

- **Public non-commercial purposes:** including the preservation of national security, health, and environmental and food safety.
- **Addressing emergencies or circumstances of extreme necessity.**
A compulsory license shall be issued to address the cases set out in items (1) and (2) without the need for prior negotiation with the patent owner, without waiting for the passage of time for negotiation, and without the need to offer reasonable terms to obtain his consent to exploitation.
- **Supporting national efforts** in sectors of importance to economic, social, and technological development, without unreasonable prejudice to the rights of the patent owner and taking into account the legitimate interests of third parties.
The patent owner shall be notified of the compulsory-license decision immediately in the cases referred to in items (1) and (3), and at the earliest reasonable opportunity permitted by the circumstances in item (2).

Second: Where the Minister of Health requests a compulsory license in any case where the quantity of patented medicines is insufficient to meet the needs of the country, or their quality has declined, or their prices have risen abnormally; or where the invention relates to medicines for critical conditions or chronic, intractable, or endemic diseases, or to products used for the prevention of such diseases—whether the invention relates to the medicines themselves, to their method of production, to essential raw materials used in their production, or to the preparation of raw materials necessary for their production. In all such cases, the patent owner must be notified immediately of the compulsory-license decision.

Third: Where the patent owner refuses to license others to exploit the invention—whatever the purpose of exploitation—despite being offered reasonable terms and after a reasonable period of negotiations has elapsed. The applicant for the compulsory license must prove that he made serious attempts to obtain a voluntary license from the patent owner.



Fourth: Where the patent is not being worked in the Arab Republic of Egypt by the patent owner or with his consent, or is being insufficiently worked, despite the lapse of four years from the filing date of the patent application or three years from the grant of the patent, whichever is longer; and likewise where the patent owner has ceased exploitation of the invention without acceptable excuse for a period exceeding one year.

“Working” shall be by producing the protected product in Egypt or by using the patented manufacturing process in Egypt.

Nevertheless, if the Patent Office considers—despite the expiry of either of the foregoing periods—that non-working is due to legal, technical, or economic reasons beyond the control of the patent owner, it may grant him a further adequate period to work the invention.

Fifth: Where the patent owner is shown to have abused his rights or to have exercised the rights conferred by the patent in an anti-competitive manner, including:

- Excessive pricing of protected products or price/terms discrimination among customers.
- Failure to supply the protected product to the market, or offering it under unfair conditions.
- Stopping production of the protected product or producing quantities not commensurate with production capacity and market needs.
- Engaging in acts or transactions that adversely affect free competition, in accordance with applicable legal standards.
- Using the rights conferred by law in a manner that adversely affects the transfer of technology.

In all the foregoing cases, the compulsory license shall be issued without the need for negotiation or the lapse of any time limit, even where the license is not intended to meet the needs of the domestic market.



The Patent Office may refuse to terminate the compulsory license if the circumstances that warranted its issuance indicate their continuation or the likelihood of recurrence. In assessing the compensation due to the patent owner, account shall be taken of the harm caused by his abusive or anti-competitive practices.

The Patent Office may revoke the patent if, after two years from the grant of the compulsory license, that license has proved insufficient to remedy the adverse effects suffered by the national economy due to the patent owner's abuse of his rights or his anti-competitive practices. Any interested party may appeal the revocation decision before the committee referred to in Article (36), in accordance with the procedures prescribed by the Executive Regulations of this Law.

Sixth: Where exploitation by the holder of one patent cannot be achieved except by exploiting another necessary patent, and the former involves a significant technical advance and technical and economic importance compared to the latter, the holder shall be entitled to obtain a compulsory license vis-à-vis the other; and the latter shall have the same right in such case. The licensed use of either patent may not be assigned except together with the use of the other patent.

Seventh: In the case of inventions relating to semiconductor technology, a compulsory license shall be granted only for public non-commercial use or to remedy effects proven to be anti-competitive.

Compulsory licenses in the cases provided for in this Article shall be granted in accordance with the rules and procedures determined by the Executive Regulations of this Law.

Article (24):

The following shall be observed when issuing a compulsory license:

- Each application for a compulsory license shall be decided on its individual merits, and the license shall primarily aim to meet the needs of the domestic market.
- The applicant shall prove that, within a reasonable period, he made serious efforts to obtain a voluntary license from the patent owner for fair remuneration and failed.



- The patent owner shall have the right to appeal the decision granting a compulsory license to a third party before the committee referred to in Article (36) of this Law within thirty days from the date he is notified of the license, in accordance with the procedures set by the Executive Regulations.
- The applicant (or the person in whose favor the license is issued) must be capable of seriously exploiting the invention in the Arab Republic of Egypt.
- The compulsory licensee must use the invention within the scope, under the conditions, and during the term specified in the decision granting the license. If the term ends without achieving the purpose of such use, the Patent Office may renew the term.
- Use under the compulsory license shall be limited to the licensee; however, the Patent Office may grant a license to another.
- The compulsory licensee may not assign the license to a third party except together with the enterprise or that part thereof relating to the use of the invention.
- The patent owner shall be entitled to fair compensation for the exploitation of his invention, taking into account the economic value of the invention. The patent owner may appeal the compensation assessment before the committee referred to in Article (36) within thirty days from the date he is notified of the decision, in accordance with the procedures set by the Executive Regulations of this Law.
- The compulsory license shall expire upon the expiry of its term. Nevertheless, the Patent Office may cancel the compulsory license before the end of its term if the reasons for granting it have ceased and are not likely to recur, following the procedures prescribed by the Executive Regulations.
- The patent owner may request termination of the compulsory license before the end of its term if the reasons for obtaining it have ceased and are not likely to recur.
- The legitimate interests of the licensee shall be taken into account upon early termination of the compulsory license.



- The Patent Office may amend the terms of, or revoke, the compulsory license, either ex officio or upon the request of any interested party, if the licensee has not used the license within two years from its grant, or if he has breached the obligations set out in the license.
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Article (25):

By decision of the competent minister—after approval of the ministerial committee referred to in Article (23) of this Law—expropriation of a patent may be affected for reasons of national security and in cases of extreme necessity in which a compulsory license is insufficient to address the situation.

Expropriation may be limited to expropriation of the right to exploit the invention for the needs of the State.

In all cases, expropriation shall be against fair compensation, to be assessed by the committee referred to in Article (36) of this Law, according to the prevailing economic value at the time the expropriation decision is issued.

The expropriation decision shall be published in the Patent Gazette. Appeals against the expropriation decision and against the committee's compensation assessment shall be brought before the Administrative Court within sixty days from the date the concerned party is notified of the decision by registered mail with acknowledgment of receipt, and the court shall decide the appeal expeditiously.



Article (26):

The rights arising from a patent shall lapse—placing it in the public domain—in the following cases:

- Expiry of the protection term in accordance with Article (9) of this Law.
- The patent owner's waiver of his rights without prejudice to third-party rights.
- A final judgment annulling the patent.
- Failure, for one year from the due date, to pay the annual fees or the late penalty—amounting to seven percent (7%) of such fees—after being notified to pay in accordance with the procedures specified by the Executive Regulations of this Law.
- Failure to work the invention in Egypt during the two years following the grant of a compulsory license, upon a request submitted by any interested party to the Patent Office.
- The patent owner's abusive exercise of his rights in cases where a compulsory license is insufficient to remedy such abuse.

Patents whose rights have lapsed pursuant to the foregoing shall be announced by publication in the Patent Gazette in the manner prescribed by the Executive Regulations.

Article (27):

The Administrative Court shall have jurisdiction over actions relating to decisions issued concerning patents.



Article (28):

The Administrative Court may, upon the request of the Patent Office or any interested party, order the addition to the Register of any entry omitted therefrom, the correction of any entry therein that does not conform to the truth, or the deletion of any entry wrongfully recorded.

The Patent Office and any interested party may also petition the court to invalidate patents granted in contravention of Articles (2) and (3) of this Law. The said Office shall cancel such patents upon submission of a final judgment having the force of res judicata.

Article (29):

A utility model patent shall be granted, pursuant to this Law, for any new technical addition in the structure or configuration of means, tools, apparatus, parts thereof, products, preparations, or methods of producing any of the foregoing, and other items used in ordinary use.

The applicant may convert his application into a patent application, and a patent applicant may convert his application into a utility model patent application. In both cases, the filing shall be deemed to date back to the filing date of the original application.

The Patent Office may, on its own initiative, convert a utility model patent application into a patent application whenever its conditions are met.

Article (30):

The term of protection for a utility model is seven non-renewable years, commencing from the filing date of the utility model patent application with the Patent Office in the Arab Republic of Egypt.



Article (31):

A fee shall be payable upon filing a utility model patent application, and an annual fee shall be payable that increases progressively from the beginning of the second year until the expiry of the patent term.

The Executive Regulations of this Law shall determine the value of these fees, not exceeding one thousand Egyptian pounds for each application, as well as the rules for reduction and cases of exemption.

Article (32):

Without prejudice to Article (10) of this Law, a fine of not less than twenty thousand Egyptian pounds and not exceeding one hundred thousand Egyptian pounds shall be imposed on:

- Anyone who, for commercial circulation, counterfeits the subject matter of an invention or utility model for which a patent has been granted under this Law.
- Anyone who sells, offers for sale or circulation, imports, or possesses for the purpose of trade counterfeit products with knowledge thereof, where the patent for the invention or utility model relating to such products or their method of production has been granted and is in force in the Arab Republic of Egypt.
- Anyone who, without right, places on products, advertisements, trademarks, packaging, or otherwise, indications leading to the belief that he has obtained a patent for an invention or a patent for a utility model.

In case of repetition, the penalty shall be imprisonment for a period not exceeding two years and a fine of not less than forty thousand Egyptian pounds and not exceeding two hundred thousand Egyptian pounds.

In all cases, the court shall order the confiscation of the counterfeit items constituting the subject of the offense and the tools used in counterfeiting, and the conviction judgment shall be published in one or more daily newspapers at the expense of the convicted person.



Article (33):

The owner of a patent for an invention or a utility model may request the president of the competent court, as the case may be, to issue an order for a conservatory measure in respect of products or goods alleged to counterfeit the patented product, according to the detailed description disclosed in the patent document for the invention or the utility model. The order shall prescribe the precautionary measures necessary to preserve such products and goods so as to maintain them in their current condition.

The said order may be issued before the filing of the action, and it shall lapse if the action is not filed within eight days from the date of its issuance.

Article (34):

A product identical to a patented product shall be deemed to have been obtained by the patented process if, in his civil action, the plaintiff proves that:

- The identical product was obtained by the direct use of the patented process; or
 - He made reasonable efforts to ascertain the process actually used in production; in such case, the court may order the defendant to prove that the process he used to obtain the identical product differs from the patented process owned by the plaintiff. In taking evidence, the court shall take into account the defendant's right to protect his industrial and commercial secrets.
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Article (35):

The president of the court having jurisdiction over the merits of the dispute may, upon the request of any interested party and by an order issued upon petition, order one or more appropriate conservatory measures to secure payment of fines or damages adjudged, and may order the destruction of the items seized, if necessary.



Article (36):

A committee shall be formed by decision of the competent minister to hear appeals against decisions issued by the Patent Office in application of this Law. The committee shall be chaired by a judge of the Courts of Appeal—or a member of a judicial body of equivalent rank—with the membership of an Assistant Counsellor from the State Council and three experts.

An appeal before the committee shall be subject to a fee determined by the Executive Regulations of this Law, not exceeding five hundred Egyptian pounds. The committee must decide the appeal within a maximum period of sixty days from the date of its filing, and its decision in this regard shall be final.

Except for annulment actions coupled with a request for a stay of execution, no action before the courts concerning Patent Office decisions shall be admissible unless the appeal has been decided or sixty days have passed from the date of filing the appeal without a decision. The Executive Regulations of this Law shall regulate the procedures of this committee.

Article (37):

The Patent Office and any interested party may appeal the decision of the committee referred to in Article (36) of this Law before the Administrative Court within sixty days from the date of notification to the Office or to the concerned party by registered mail with acknowledgment of receipt. The court shall decide the appeal expeditiously.

Article (38):

If a patent application has been filed in any state or entity that is a member of the World Trade Organization, or that accords reciprocal treatment to the Arab Republic of Egypt, the applicant or his successor in title may, within one year from the filing date of that application, file a corresponding application with the Patent Office in the Arab Republic of Egypt for the same subject matter, in accordance with the conditions and procedures set forth in this Law and its Executive Regulations.

In such case, priority shall be determined according to the filing date of the first application in the foreign country.



Article (39):

Employees of the Patent Office shall not, either personally or through an intermediary, submit patent applications until at least three years have passed from the date of their leaving employment with the Office.

Article (40):

The provisions applicable to patents shall apply to any matter not specifically regulated with respect to utility model patents.

Article (41):

The provisions of this Law shall apply to all applications filed with the Patent Office for which patents have not been granted prior to the date this Law comes into force, and the applicant may amend his application to conform with the provisions of this Law.

The protection term provided for in this Law shall apply to patents whose duration had not expired at the date this Law takes effect, completing their protection period to that specified in Article (9) of this Law.

Article (42):

The Minister of Justice, in agreement with the competent minister, shall issue a decision designating those who have judicial authority to enforce the provisions of this Book.

Article (43):

The Patent Office shall receive and preserve patent applications relating to agricultural chemical products associated with food, and pharmaceutical chemical products, as well as applications for products of the same nature filed as of 1 January 1995, until examination begins on 1 January 2005.



In the case of granting patents for inventions related to the products mentioned in the preceding paragraph, protection shall begin from the date of grant and shall continue until the end of the period provided in Article (9) of this Law, calculated from the date of filing the application.

Article (44):

Subject to the time limit prescribed for commencing examination of patent applications relating to the products mentioned in Article (43) of this Law, the patent applicant may request the competent governmental authority to grant **exclusive marketing rights** for his product in the Arab Republic of Egypt, under the following conditions:

- The applicant must have filed a patent application for that product with the Egyptian Patent Office as of 1 January 1995.
- The same product must have been granted a patent in a member state of the World Trade Organization based on an application filed in that state as of 1 January 1995.
- The applicant must have obtained approval for the marketing of that product in the same state where the patent was granted, as of 1 January 1995.
- The applicant must have obtained approval from the competent ministry for the marketing of that product within the Arab Republic of Egypt.

The Egyptian Patent Office shall issue a certificate of **exclusive marketing rights** after approval by a ministerial committee formed for this purpose by decision of the Prime Minister.

Exclusive marketing rights shall not be granted if it is clear from the documents submitted to the Patent Office in support of the application for such rights that the patent application filed with the Office was published more than one year before the date of filing.

The applicant shall enjoy the exclusive marketing rights for his product as approved by the competent governmental authority until the Egyptian Patent Office decides on the patent application, or for five years from the date of approval of those rights, whichever period is shorter.



The previously granted exclusive marketing right shall be revoked upon cancellation of the marketing authorization by the competent ministry or if the right holder abuses the exercise of his right.

Book One – Patents, Utility Models, and Layout Designs for Integrated Circuits

Part Two – Layout Designs for Integrated Circuits

Article (45):

For the purposes of this Law, an integrated circuit means any product, in its final or intermediate form, that contains components—at least one of which is an active element—mounted on a piece of insulating material, forming together with some or all of the interconnections an integrated entity designed to perform a specific electronic function.

A layout design (or topography) means any three-dimensional arrangement prepared for an integrated circuit for the purpose of manufacturing it.

Article (46):

Protection under this Law shall extend to any new layout design of integrated circuits. A layout design shall be deemed new if it is the result of the intellectual effort of its creator and was not common knowledge among those engaged in the relevant industrial art.

Nevertheless, a layout design shall also be considered new if the combination and interconnection of its components is new in itself, even if the components individually are part of common knowledge in the relevant industrial field.

Article (47):

No protection shall be granted for any concept, process, technical system, or coded information that may be incorporated in a layout design of an integrated circuit.



Article (48):

The term of protection for layout designs of integrated circuits shall be ten years from the date of filing the registration application in the Arab Republic of Egypt or from the date of the first commercial exploitation thereof in Egypt or abroad, whichever date is earlier.

In all cases, protection shall expire fifteen years from the date of creation of the design.

Article (49):

The application for registration of a layout design shall be filed by the right holder with the Patent Office and shall be accompanied by a copy or drawing of the design, a sample of each integrated circuit that has been commercially exploited, and information describing the electronic function of the design.

The applicant may exclude one or more parts of the design if the parts submitted are sufficient to identify the design and its function.

A register shall be maintained at the Office for recording registration applications in accordance with the conditions and procedures set forth in the Executive Regulations of this Law. A fee shall be charged for each application, not exceeding one thousand Egyptian pounds.

No application shall be accepted if filed after the lapse of two years from the date of the first commercial exploitation of the design by the right holder, whether in Egypt or abroad.

Article (50):

Without prior written authorization from the right holder in a protected layout design, no natural or legal person may perform any of the following acts:

- Copy the layout design in whole or in part, where such part is new, whether by incorporating it into an integrated circuit or by any other means.
- Import, sell, or distribute the layout design for commercial purposes, whether separately, incorporated into an integrated circuit, or as one of the components of a product.



Article (51):

Without prejudice to the protection granted under this Part, any natural or legal person may, without authorization from the right holder, perform one or more of the following acts:

- Copying or commercial exploitation, including importation, sale, or distribution of an integrated circuit containing a protected layout design or a product incorporating such an integrated circuit, if the act was committed by a person who did not know, and had no reasonable means of knowing at the time of the act, that the integrated circuit or product contained a protected layout design.

In this case, the possessor, after being notified by the right holder by registered mail with acknowledgment of receipt that the integrated circuit or product in his possession contains a protected layout design, may dispose of the stock or goods he holds or has ordered, upon payment of fair compensation to the right holder.

- Personal use, or use for testing, examination, analysis, education, training, or scientific research of a protected layout design. If such use results in the creation of a new layout design, the creator shall have the right to protection thereof.
 - Independently creating an identical layout design as a result of independent efforts.
 - Importing a protected layout design, or an integrated circuit produced using a protected layout design—whether the circuit is separate or incorporated in a product—or a product containing an integrated circuit with a protected layout design, provided that any of these have been placed on the market in Egypt or abroad.
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Article (52):

The Patent Office may grant a compulsory license to a third party for the use of a protected layout design in accordance with the provisions concerning compulsory licensing of patents set forth in Articles (23) and (24) of this Law.



Article (53):

Violation of the provisions of Article (50) of this Law shall be punishable by a fine of not less than twenty thousand Egyptian pounds and not exceeding one hundred thousand Egyptian pounds.

In case of repetition, the penalty shall be imprisonment for a period not exceeding two years and a fine of not less than forty thousand Egyptian pounds and not exceeding two hundred thousand Egyptian pounds.

Article (54):

The provisions of Articles (4), (33), (35), and (42) of this Law shall apply to this Part.

Book One – Patents, Utility Models, and Layout Designs for Integrated Circuits

Part Three – Undisclosed Information

Article (55):

Undisclosed information shall enjoy protection under this Law, provided that the following conditions are met:

- The information must be confidential, meaning that, as a whole or in the precise configuration and assembly of its components, it is not generally known or readily accessible to persons normally dealing with the kind of information in question within the relevant industrial field.
- The information must have commercial value because it is secret.
- The information must be subject to reasonable steps, taken by its lawful holder, to keep it secret.



Article (56):

The protection afforded by this Law shall extend to undisclosed information that is the result of substantial effort and that is submitted to the competent authorities, at their request, for the purpose of permitting the marketing of pharmaceutical or agricultural chemical products that use new chemical entities, where such information is necessary for the tests required to authorize marketing.

The competent authorities receiving such information must protect it against disclosure and against unfair commercial use from the date it is submitted to them until it loses its confidential character, or for a period not exceeding five years—whichever is the shorter.

Disclosure by the competent authorities shall not be deemed an infringement of the rights of the owner of such information where such disclosure is necessary for the protection of the public.

Article (57):

The lawful holder of undisclosed information shall take the measures necessary to preserve such information and to prevent its circulation by persons who are not authorized. He shall also regulate the circulation of such information within the establishment and restrict access to those who are legally bound to preserve it and to prevent its leakage to others. The lawful holder shall not be relieved of liability for third-party infringement of such information unless he proves that he has exercised sufficient and reasonable efforts to protect it.

The confidential character of the information, and the rights arising therefrom to prevent third parties from infringing it, shall continue so long as the information remains undisclosed in accordance with Article (55) of this Law.

The rights of the lawful holder of undisclosed information are limited to preventing third parties from infringing it by any acts that conflict with honest commercial practices, as referred to in Article (58) of this Law; the lawful holder may resort to the courts where it is established that any such acts have been committed by others.



Article (58):

The following acts, in particular, are deemed to conflict with honest commercial practices and constitute unfair competition:

- Bribing employees of the entity holding the information for the purpose of obtaining it.
- Inducing employees to disclose the information where it came to their knowledge by virtue of their employment.
- Disclosure by a party to a “confidential information agreement” of information that came to his knowledge thereunder.
- Obtaining the information from its place of storage by any unlawful means, such as theft, espionage, or otherwise.
- Obtaining the information by fraudulent methods.
- Use by a third party of information obtained by any of the foregoing acts, while knowing that it is confidential and that it was obtained by any of those acts.

Any disclosure, possession, or use of undisclosed information by a third party without authorization from the lawful holder shall be deemed an infringement resulting from the foregoing acts.

Article (59):

The following shall not be deemed acts in conflict with honest commercial practices:

- Obtaining information from publicly available sources, such as libraries—including patent libraries—open government records, and published research, studies, and reports.
- Obtaining information as a result of one’s own independent efforts aimed at extracting the information through examination, testing, and analysis of a product circulating in the market in which the undisclosed information is embodied.



- Obtaining information as a result of scientific research, innovation, invention, development, modification, or improvement carried out independently of the owner of the undisclosed information.
 - Possession and use of information that is known, available, and circulated among those engaged in the industrial art within which the information falls.
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Article (60):

The owner of undisclosed information, or his successor, shall have the right to assign it to others, for consideration or without consideration.

Article (61):

Without prejudice to any more severe penalty provided for in any other law, any person who, by unlawful means, discloses information protected under this Law, or possesses or uses it while knowing that it is confidential and that it was obtained by such unlawful means, shall be punished by a fine of not less than ten thousand Egyptian pounds and not exceeding fifty thousand Egyptian pounds.

In case of repetition, the penalty shall be imprisonment for a term not exceeding two years and a fine of not less than fifty thousand Egyptian pounds and not exceeding one hundred thousand Egyptian pounds.

Article (62):

The provisions of Articles (4), (33), (35), and (42) of this Law shall apply to this Part.



Book Two – Trademarks, Trade Indications, Geographical Indications, and Industrial Designs and Models

Chapter One – Trademarks, Trade Indications, and Geographical Indications

Article (63):

A trademark is anything that distinguishes a product—whether a good or a service—from others. It includes, in particular, names presented in a distinctive form; signatures; words; letters; numerals; drawings; symbols; trade names; stamps; seals; pictures; reliefs; combinations of colors arranged in a special and distinctive manner; and any combination of these elements, whether used or intended to be used to distinguish products of an industrial enterprise, an agricultural exploitation, a forestry exploitation, or natural products, or any goods; or to indicate the source of the products or goods, their type, grade, guarantee, or method of preparation; or to indicate the performance of a service.

In all cases, the trademark must be perceptible by sight.

Article (64):

The Commercial Registry Authority shall be competent to register trademarks in the register designated for such marks in accordance with this Law and its Executive Regulations, taking into account Articles (3) and (4) of Law-Decree No. 115 of 1958 regarding correspondence and signs requiring the use of the Arabic language.

The person who registers the mark shall be deemed its owner, provided that the registration is accompanied by use within the five years following registration, unless it is proven that priority of use belongs to another.

A person who was prior in using the mark may bring an action to invalidate the registration within the said five years.



However, an action to invalidate the registration may be brought at any time, without limitation, where the registration was made in bad faith.

Article (66):

Without prejudice to the international agreements in force in the Arab Republic of Egypt, any natural or legal person of Egyptian nationality, or any foreigner who belongs to, or has a real and effective place of business in, a state or entity that is a member of the World Trade Organization or that accords reciprocal treatment to Egypt, shall have the right—under this Law—to apply to the Registration Authority in the Arab Republic of Egypt to register a trademark and to enjoy the rights arising therefrom.

Nationals of all WTO member states shall benefit from any advantage, preference, privilege, or immunity granted by any other law to the nationals of any state with respect to the rights provided for in this Part, unless such advantage, preference, or immunity arises from:

- Agreements on judicial assistance or general law enforcement; or
 - Agreements concerning the protection of intellectual property rights that became effective before 1 January 1995.
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Article (67):

The following shall not be registered as a trademark or as an element thereof:

- Marks devoid of any distinctive character, or composed of signs or data that are no more than the customary designation of the products or ordinary drawings or images thereof.
- Marks that are contrary to public order or morality.
- Public emblems, flags, and other symbols of the State or of other states or of regional or international organizations, as well as any imitation thereof.
- Marks identical or similar to symbols of a religious character.



- Symbols of the Red Cross or Red Crescent, or other similar symbols, as well as marks that imitate them.
- The images or emblems of others unless authorization for their use has been obtained.
- Indications of honorary distinctions unless the applicant proves that he has obtained them.
- Marks and geographical indications that would mislead the public or cause confusion, or that contain false statements regarding the source of the products or services or their other characteristics, as well as marks containing a fictitious, imitated, or forged trade name.

Article (68):

The owner of a trademark that is well-known internationally and in the Arab Republic of Egypt shall be entitled to the protection provided for in this Law even if the mark is not registered in the Arab Republic of Egypt.

The Authority shall, on its own initiative, refuse any application to register a mark identical to a well-known mark where the application seeks to use the mark to distinguish products identical to those for which the well-known mark is used, unless the application is filed by the owner of the well-known mark.

The foregoing rule shall also apply to applications for registration covering products that are not identical to those for which the well-known mark is used, if the well-known mark is registered in a WTO member state and in the Arab Republic of Egypt, and if the use of the mark on dissimilar products would lead others to believe that a connection exists between the owner of the well-known mark and such products, and such use would cause harm to the owner of the well-known mark.



Article (69):

A **collective trademark** shall be used to distinguish a product manufactured by a group of persons belonging to a specific entity, even if such entity does not itself own an industrial or commercial establishment.

The application for registration of the mark shall be submitted by a representative of that entity.

Article (70):

For the purpose of serving the public interest, the competent minister may authorize natural or legal persons engaged in inspecting or supervising products to register a **mark** designating that such products have been inspected or tested, particularly with regard to their source, composition, method of production, quality, authenticity, or any other distinguishing characteristic.

Such a mark may not be disposed of except by special authorization from the competent minister.

Article (71):

The right of the owner of a trademark to prevent others from importing, using, selling, or distributing the products distinguished by that mark shall be exhausted once he has marketed those products in any country or has authorized others to do so.

Article (72):

Products bearing a mark exhibited in **national or international exhibitions** shall enjoy temporary protection. Such protection shall not extend the duration provided for in Article (75) of this Law.

The competent minister shall designate these exhibitions by decree, and the Executive Regulations of this Law shall specify the conditions, requirements, and procedures for granting such protection.



Article (73):

An application for the registration of a trademark shall be filed with the Commercial Registry Authority in accordance with the procedures and conditions prescribed by the Executive Regulations of this Law.

The said Regulations shall determine the categories of fees payable on the application and other procedures relating to the mark, provided that the total fees shall not exceed five thousand Egyptian pounds.

Article (74):

A trademark shall be registered for **one or more classes or categories** of products produced or intended to be produced by the applicant, in accordance with the procedures and conditions set forth in the Executive Regulations of this Law.

The use of the mark shall be limited to the class or classes, or category of products, for which it is registered.

The provisions of Article (91) of this Law shall apply to classes for which the mark has not been used in a genuine manner.

Article (75):

If an application for registration of a trademark has been filed in any state or entity that is a member of the World Trade Organization or that accords reciprocal treatment to the Arab Republic of Egypt, the applicant or his successor in title may, within six months from the filing date of that application, submit to the Authority in the Arab Republic of Egypt a corresponding application for the same mark covering the same products as those included in the prior application.

In such a case, priority shall be determined according to the filing date of the first application in the foreign country, in accordance with the conditions and procedures set forth in this Law and its Executive Regulations.



Article (76):

Where two or more persons simultaneously apply for registration of the same mark or of similar marks for the same class of products, the registration procedures shall be suspended until one of them submits a waiver from the others or presents an enforceable judgment in his favor.

Article (77):

The Commercial Registry Authority may, by a reasoned decision, require the applicant to make the necessary amendments to the mark sought to be registered in order to define or clarify it and to avoid confusion with another mark already registered or the subject of a pending application.

The applicant shall be notified of such decision by registered mail with acknowledgment of receipt within thirty days from its date.

The Authority may refuse the application if the applicant fails to carry out the required amendments within six months from the date of notification.

Article (78):

The applicant may appeal the decision of the Authority referred to in Article (77) of this Law within thirty days from the date of notification.

One or more committees shall be formed by decision of the competent minister to hear such appeals, each composed of three members, one of whom shall be from the State Council.

The Executive Regulations of this Law shall determine the rules governing the formation of the committee, and the procedures for submitting, considering, and deciding upon appeals.



Article (79):

Without prejudice to the right of the concerned party to appeal in accordance with the law, if the committee referred to in the preceding Article upholds the decision rejecting the registration of a mark because it is similar to a mark already registered for identical or similar products, such mark may not be registered for the applicant except by virtue of a final judicial ruling.

Article (80):

The Authority shall publish the decision approving the registration of a trademark in the Journal of Trademarks, Industrial Designs, and Models, in the manner prescribed by the Executive Regulations of this Law.

Any interested party may object in writing to the registration of the mark by submitting a notice of opposition to the Authority, stating the reasons for the objection, within sixty days from the date of publication, in accordance with the procedures set forth in the Executive Regulations.

The Authority shall send a copy of the opposition notice to the applicant within thirty days from its receipt.

The applicant shall submit to the Authority a written, reasoned reply to the opposition within thirty days from the date he receives the notice; otherwise, he shall be deemed to have abandoned his application.

The Executive Regulations of this Law shall lay down the rules and procedures governing these matters.

Article (81):

The Authority shall issue a reasoned decision on the opposition, either approving or refusing the registration, after hearing both parties to the dispute.

The Authority may include in its decision of approval such conditions as it deems necessary for the registration of the mark.



Article (82):

An appeal may be brought before the competent Administrative Court against the decision of the Authority referred to in Article (81) of this Law, in accordance with the procedures and time limits prescribed by the Law of the State Council.

Article (83):

Registration of a trademark shall be affected by a decision of the Authority, and such decision shall be published in the *Journal of Trademarks, Industrial Designs, and Models* in the manner prescribed by the Executive Regulations of this Law.

The effects of registration shall commence from the date of filing the application.

Article (84):

The Authority shall issue to the owner of the registered trademark a certificate containing the particulars published in the journal referred to above.

Article (85):

The owner of a registered trademark may submit a written request to the Authority to make any modification to the mark that does not affect its essential identity, and may also request the deletion—but not the addition—of any item from the list of goods or products covered by the mark.

A decision shall be issued approving or refusing the amendment request in accordance with the same conditions applicable to decisions accepting the original registration applications.

The provisions governing opposition, appeal, judicial review, and publication shall apply to such decisions.



Article (86):

Any person may request to inspect registered trademarks, or to obtain extracts or copies from the register of such trademarks, in accordance with the rules and procedures prescribed by the Executive Regulations of this Law and upon payment of a fee not exceeding one hundred Egyptian pounds.

Article (87):

The ownership of a trademark may be assigned, or a real right may be created in respect thereof, or it may be subject to attachment, independently of the commercial establishment or exploitation enterprise, in accordance with the rules and procedures prescribed by the Executive Regulations of this Law.

Article (88):

The transfer of ownership of a commercial establishment or exploitation enterprise shall include the trademarks registered in the name of the owner if they are closely associated with such establishment or enterprise, unless otherwise agreed.

If the transfer of ownership does not include the trademark, the owner of the mark shall retain the right to use it for the same type or class of products for which it is registered, unless otherwise agreed.

Article (89):

The assignment of ownership of a trademark, the establishment of a right of usufruct over it, or its mortgage shall not be effective against third parties until recorded in the register and published in the manner prescribed by the Executive Regulations of this Law.



Article (90):

The term of protection resulting from trademark registration shall be ten years, renewable for one or more similar periods upon application by the owner during the final year of the protection period and upon payment of the renewal fee equivalent to the original registration fee.

After the expiry of that period, the owner may still apply for renewal within a further period not exceeding six months, upon payment of both the prescribed fee and an additional fee determined by the Executive Regulations of this Law not exceeding five hundred Egyptian pounds; otherwise, the Authority shall cancel the mark.

Article (91):

The competent court may, upon the request of any interested party, order the cancellation of a registered trademark by a final judicial judgment if it is proven that the mark has not been used in a genuine manner—without justified reason as determined by the court—for a continuous period of five consecutive years.

Article (92):

A trademark that has been cancelled may be re-registered by its former owner only, within three years from the date of cancellation, in accordance with the same procedures and conditions prescribed for registration and upon payment of a fee determined by the Executive

Regulations of this Law not exceeding one thousand Egyptian pounds.

After the lapse of this period, the mark may be registered either by its former owner or by others for the same products, in accordance with the same procedures and fees prescribed for initial registration.

However, if the cancellation was effected pursuant to a final judicial judgment declaring the lack of entitlement to registration, the mark may be registered in favor of others immediately upon cancellation.



Article (93):

Any decision extending, renewing, cancelling, or re-registering a trademark after cancellation shall be published in the *Journal of Trademarks, Industrial Designs, and Models* in the manner prescribed by the Executive Regulations of this Law.

Article (94):

The Authority or any interested party may, except in the cases provided for in Article (85) of this Law, apply to the competent court for an order to add to the register any entry that has been omitted, or to delete or amend any entry that has been wrongfully made or that is inconsistent with the truth.

Article (95):

The owner of a trademark may grant one or more natural or legal persons a license to use the mark in respect of all or some of the products for which the mark is registered.

Such licensing shall not preclude the owner from using the mark himself, unless otherwise agreed.

The owner may not terminate or refuse to renew a license agreement except for a legitimate cause.

Article (96):

For a license agreement to be recorded in the Trademark Register, it must be notarized or the signatures on it authenticated.

The license shall not be effective against third parties until it has been recorded and published in the manner prescribed by the Executive Regulations of this Law.



Article (97):

The licensee may not assign the license to another person except together with the transfer of the commercial establishment or exploitation enterprise in which the trademark is used to distinguish its products, unless otherwise agreed.

Neither a mortgage nor a right of usufruct over the license shall be effective against third parties unless it is recorded in the register and published in the manner prescribed by the Executive Regulations of this Law.

Article (98):

A license agreement may not contain any restrictions that are unnecessary for preserving the rights arising from the registration of the trademark.

However, the license agreement may include the following conditions:

- Determination of the duration of the license to use the mark.
 - Reasonable conditions enabling the owner of the mark to supervise the quality of the products bearing the licensed mark, without prejudice to the licensee's freedom in management and operation.
 - An obligation on the licensee to refrain from any act that may depreciate or detract from the reputation of the products bearing the mark.
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Article (99):

The owner of the trademark or the licensee may request the cancellation of the record of the license agreement, and the Authority shall notify the other party of such request.

Cancellation shall be effected in the cases and in accordance with the procedures prescribed by the Executive Regulations of this Law.



Article (100):

For the purposes of applying this Law, a trade indication means any statement that, directly or indirectly, relates to any of the following:

- The number, quantity, measurement, capacity, or weight of the products.
 - The place or country in which the products were manufactured or produced.
 - The method of manufacture or production of the products.
 - The ingredients or components of the products.
 - The name and capacity of the manufacturer or producer.
 - The existence of patents or other industrial property rights, privileges, awards, or distinctions of a commercial or industrial nature.
 - The name or form by which certain products are commonly known.
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Article (101):

A trade indication must be truthful in all respects, whether it appears on the products themselves or on their packaging, invoices, correspondence, advertising media, or any other means used to present the products to the public, or whether it is displayed on or within shops, warehouses, or their signboards.

Article (102):

No person may indicate medals, diplomas, prizes, or honorary distinctions of any kind except in respect of the products to which such distinctions relate, and only by the persons or trade names that have actually received them or to whom the rights thereto have devolved. Such indication must include accurate information on the date, type, granting authority, and occasion of the award.



A person who has participated jointly with others in exhibiting products may not, for his own products, use the distinctions granted to the jointly exhibited goods unless he clearly indicates the source and nature of such distinctions.

Article (103):

Where the quantity, measurement, capacity, weight, origin, or components of a product are factors affecting its value, the competent minister may, by decree, prohibit the sale, offering for sale, or importation of such products unless they bear such information.

The competent minister shall issue a decree determining the manner in which such information must be affixed to products in the Arabic language, and the procedures to be followed or substituted where necessary.

Article (104):

A geographical indication is any indication that identifies a product as originating from a region, locality, or area within a State that is a member of the World Trade Organization, or that accords reciprocal treatment to the Arab Republic of Egypt, where the quality, reputation, or other characteristics of the product are essentially attributable to its geographical origin.

Protection shall be granted only to those geographical indications that have already obtained protection in their country of origin.

Article (105):

No person engaged in trade in goods in a region that has a special reputation for the production of certain products may affix to his goods any geographical indication in a manner that misleads the public into believing that such goods originated in that reputed region.



Article (106):

No means shall be used in the designation or presentation of a product that is liable to mislead the public as to the geographical area of its true origin.

Article (107):

A producer of goods in a region renowned for certain products may not affix a geographical indication to similar goods produced in other regions if such use would suggest that the goods were produced in the renowned region.

Article (108):

Certain products may bear geographical names that, through commercial usage, have come to denote primarily the type of product rather than its geographical origin.

Article (109):

For the registration of a trademark containing a geographical indication, it shall be required that the product be continuously produced by the applicant within the geographical area possessing the special reputation.

Article (110):

A trademark that includes a geographical indication shall not be registered if its use would be liable to mislead the public as to the true origin of the product.



Article (111):

A trademark containing a geographical indication may be registered if the right to such mark has been acquired through good-faith use prior to the entry into force of this Law or prior to the grant of protection for the geographical indication in the country of origin.

Article (112):

Any interested party may bring an action before the competent Court of First Instance, in the ordinary manner, requesting an injunction to prevent the use of any geographical indication not incorporated in a registered trademark, where such use would mislead the public as to the true origin of the product.

The competent Court of First Instance shall be that in whose jurisdiction the geographical indication is used.

Article (113):

Without prejudice to any more severe penalty provided in another law, the following offences shall be punishable by imprisonment for not less than two months and a fine not less than five thousand pounds and not exceeding twenty thousand pounds, or by either penalty:

- Any person who forges or counterfeits a trademark registered in accordance with the law, or imitates it in a manner likely to mislead the public.
- Any person who, in bad faith, uses a forged or imitated trademark.
- Any person who, in bad faith, affixes to his products a trademark owned by another.
- Any person who sells, offers for sale, circulates, or possesses for the purpose of sale or circulation products bearing a forged, imitated, or unlawfully affixed trademark, knowing that it is such.

In case of recurrence, the penalty shall be imprisonment for not less than two months and a fine not less than ten thousand pounds and not exceeding fifty thousand pounds. In all cases, the court shall order the confiscation of the products constituting the subject of the offence, any sums or items obtained therefrom, and the tools used in its commission.



The court may, upon conviction, also order the closure of the establishment used by the offender in committing the offence for a period not exceeding six months, and such closure shall be mandatory in case of recurrence.

Article (114):

Without prejudice to any more severe penalty provided in another law, any person who commits any of the following acts shall be punishable by imprisonment for not more than six months and a fine not less than two thousand pounds and not exceeding ten thousand pounds, or by either penalty:

- Affixing or using a false trade indication on his products, premises, warehouses, or their addresses, or on packaging, invoices, correspondence, advertising media, or any means used to present products to the public.
- Wrongfully indicating on his marks or commercial documents any statement implying that they are registered.
- Using an unregistered trademark in any of the cases referred to in paragraphs (2), (3), (5), (7), and (8) of Article (67) of this Law.
- Indicating medals, diplomas, prizes, or honorary distinctions of any kind on products unrelated thereto, or in connection with persons or trade names that have not obtained them.
- Participating jointly with others in exhibiting products and using for his own products the distinctions awarded to the jointly exhibited products, without clearly indicating the source and nature of those distinctions.
- Affixing to goods traded in a region of special reputation a geographical indication that misleads the public into believing that the goods originated in that region.
- Using any means in the designation or presentation of a product that misleads the public into believing that it originated in a geographical area of special reputation, contrary to its true origin.



- A producer of goods in a region of special reputation who affixes a geographical indication to similar goods produced elsewhere in a manner that suggests they were produced in the reputed region.

In case of recurrence, the penalty shall be imprisonment for not less than one month and a fine not less than four thousand pounds and not exceeding twenty thousand pounds.

Article (115):

The President of the competent court having jurisdiction over the merits of the dispute may, upon the request of any interested party and by order issued on petition, direct the taking of one or more appropriate precautionary measures, and in particular:

- Establishing evidence of the alleged infringement of the protected right.
- Making an inventory and detailed description of the machines, instruments, products, goods, shop signs, packaging, invoices, correspondence, advertising media, or other materials bearing the trademark, trade indication, or geographical indication that is the subject of the offence, as well as of imported goods upon their arrival.
- Seizure of the items referred to in subparagraph (2).

The President of the court may, in all cases, appoint one or more experts to assist the bailiff charged with execution and may require the applicant to deposit an appropriate bond.

The applicant must institute proceedings on the merits before the competent court within fifteen days from the date of the order; otherwise, the order shall lapse and cease to have effect.

Article (116):

Any person against whom an order has been issued may file a grievance before the President of the issuing court within thirty days from the date of issuance or notification of the order, as the case may be.



The President of the court may uphold, revoke, or amend the order in whole or in part.

Article (117):

In any civil or criminal proceedings, the court may order the sale of seized items or items subsequently seized, and deduct the proceeds from the amount of compensation or fines, or order their disposal in any other manner it deems appropriate.

The court shall order the destruction of infringing marks, and may also, where necessary, order the destruction of products, goods, shop signs, packaging, invoices, correspondence, advertising media, or other materials bearing such marks or containing trade indications or geographical indications made in violation of this Book, as well as the destruction of machines or instruments specifically used in committing the offence.

The court may also order the publication of the judgment in one or more newspapers at the expense of the convicted person.

The court may direct all or some of the foregoing measures even in the event of acquittal.

Article (118):

The Minister of Justice, in agreement with the competent minister, shall issue a decree designating those officials vested with judicial enforcement authority to implement the provisions of this Part.



Book Two – Trademarks, Trade Indications, Geographical Indications, and Industrial Designs and Models

Chapter Two – Industrial Designs and Models

Article (119):

An industrial design or model is any arrangement of lines or any three-dimensional form, with or without colors, that assumes a distinctive appearance characterized by novelty and is capable of industrial application.

Article (120):

An industrial design or model shall lose the attribute of novelty if:

- It has been disclosed to the public, described, or its uses displayed prior to the filing date of the application for its registration.

Nevertheless, the design or model shall not lose novelty if such disclosure or description occurred after the filing of an application for its registration in a State or entity that is a member of the World Trade Organization or that accords reciprocal treatment to the Arab Republic of Egypt, or if the disclosure took place at a national or international exhibition, or publication occurred at a conference or in a scientific periodical, provided all of this occurred within a period not exceeding **six months** before the filing date of the application for registration in the Arab Republic of Egypt.

- It contains **non-substantial differences** from a prior industrial design or model, or it is designated for a different type of products from those for which the prior design or model was registered.
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Article (121):

Without prejudice to the international agreements in force in the Arab Republic of Egypt, any natural or legal person of Egyptian nationality, or any foreigner who belongs to, or has a real and effective place of business in, a State or entity that is a member of the WTO or that accords reciprocal treatment to Egypt, shall have the right to file an application with the Commercial Registry Authority for the registration of an industrial design or model, and to enjoy the rights arising therefrom in accordance with this Law.

Nationals of all WTO member states shall benefit from any advantage, preference, privilege, or immunity granted by any other law to the nationals of any state with respect to the rights provided for in this Part, unless such advantage, preference, or immunity arises from:

- agreements on judicial assistance or general law enforcement; or
 - agreements concerning the protection of intellectual property rights that became effective before 1 January 1995.
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Article (122):

The Commercial Registry Authority shall be competent to register industrial designs and models in the register designated for this purpose.

An application may include a number of designs or models not exceeding fifty, provided that they, taken together, constitute a homogeneous unit.

The Executive Regulations of this Law shall prescribe the procedures for filing the application, the number of designs and models that may be included in a single application, the examination procedure, publication of the Authority's decision accepting the application, opposition procedures, and other necessary procedures, as well as the fees payable for such applications, their renewal, and all related procedures, provided that the total fees shall not exceed three thousand Egyptian pounds.



Article (123):

Employees of the Commercial Registry Authority shall not, either personally or through an intermediary, file applications for the registration of industrial designs or models until at least three years have passed from the date of their leaving the service.

Article (124):

None of the following industrial designs or models may be registered:

- A design or model dictated solely by the technical or functional considerations of the product.
- A design or model that includes religious emblems or symbols, seals, or flags belonging to the Arab Republic of Egypt or foreign states, or whose use would constitute a breach of public order or morality.
- A design or model that is identical with, similar to, or confusingly similar to a registered or well-known trademark.

In all cases where registration is refused, the Authority shall notify the applicant of the reasoned decision within thirty days from its date by registered mail with acknowledgment of receipt.

An appeal against this decision may be filed within thirty days from the date of notification.

Appeals shall be heard by a committee formed by decision of the competent minister, consisting of three members, one of whom shall be from the State Council; the committee may seek the assistance of experts as it deems appropriate.

The Executive Regulations shall regulate the procedures of this committee and shall determine the appeal fee, not exceeding five hundred Egyptian pounds.

The committee shall issue a reasoned decision within ninety days from the date the appeal is filed.



The committee's decision may be challenged before the Administrative Court within thirty days from the date of notification.

Article (125):

The Authority may require the applicant to make such amendments or completions as it deems necessary in application of Article (124), in the manner specified by the Executive Regulations of this Law; if the applicant does not comply, he shall be deemed to have abandoned his application.

The applicant may appeal the Authority's decision concerning such requirement before the committee referred to in Article (124) within thirty days from the date of notification and in accordance with the procedures set forth in the Executive Regulations.

The applicant may also, on his own initiative, submit to the Authority a request to make the said amendments or completions, in the manner determined by the Executive Regulations.

Article (126):

The term of protection arising from the registration of an industrial design or model shall be **ten years**, commencing from the filing date of the application for registration in the Arab Republic of Egypt.

Protection may be renewed for a further period of five years if the owner of the design or model files a renewal request during the final year of the term, in accordance with the procedures specified in the Executive Regulations of this Law.

The owner may, however, file a renewal request within three months following the expiry of the protection term; otherwise, the Authority shall cancel the registration ex officio.



Article (127):

Registration of an industrial design or model confers upon its owner the right to prevent others from manufacturing, selling, or importing products that adopt the shape of, or incorporate, that design or model.

The owner's right to prevent others from importing, selling, or distributing such products shall be exhausted once he has marketed those products in any country or has authorized others to do so.

The following acts by third parties shall not constitute infringement of this right:

- Acts for scientific research purposes.
- Educational or training purposes.
- Non-commercial activities.
- Manufacture or sale of parts of the said products for the purpose of repair, against payment of fair compensation.
- Other uses that do not unreasonably conflict with the normal exploitation of the protected industrial design or model and do not unreasonably prejudice the legitimate interests of its owner, taking into account the legitimate interests of third parties.

Article (128):

Ownership of an industrial design or model may be assigned, in whole or in part, for consideration or without consideration; it may also be mortgaged or made subject to a right of usufruct.

Without prejudice to the provisions governing the sale and mortgage of commercial establishments, ownership of the design or model shall not be transferred, nor shall its mortgage or the establishment of a right of usufruct over it be effective against third parties, except from the date of annotation in the Register of Industrial Designs and Models.



The Executive Regulations of this Law shall determine the procedures necessary for implementing the foregoing.

Article (129):

For reasons of public interest, the Commercial Registry Authority may, after approval by a ministerial committee formed by decision of the Prime Minister upon the proposal of the competent minister, issue a reasoned decision granting a third party a non-exclusive compulsory license to use a protected industrial design or model, against fair compensation.

The Executive Regulations of this Law shall determine the conditions, requirements, and procedures for granting such license.

Article (130):

The Authority shall publish decisions of registration, renewal, and cancellation in the *Journal of Trademarks, Industrial Designs, and Models*, accompanied, as the case may be, by a representation of the design or industrial model, in accordance with the procedures prescribed by the Executive Regulations of this Law.

The provisions of Articles (80), (81), (82), and (83) shall apply to this Part.

Article (131):

Any person may request to inspect a registered industrial design or model, or obtain extracts or copies from the register in which it is recorded, in accordance with the rules and procedures set forth in the Executive Regulations of this Law and upon payment of a fee determined therein, not exceeding one hundred Egyptian pounds.



Article (132):

Industrial designs and models meeting the requirements for registration and displayed at national or international exhibitions designated by decree of the competent minister shall enjoy temporary protection.

The Executive Regulations of this Law shall specify the conditions, requirements, and procedures for granting such protection.

Article (133):

The Authority or any interested party may bring an action before the Administrative Court seeking the cancellation of the registration of an industrial design or model that was registered unlawfully.

The Authority shall cancel the registration upon presentation of a final and enforceable judgment to that effect.

Article (134):

Without prejudice to any more severe penalty provided for in any other law, a fine of not less than four thousand pounds and not exceeding ten thousand pounds shall be imposed on:

- Any person who copies or counterfeits a protected industrial design or model registered under the provisions of this Law.
- Any person who manufactures, sells, offers for sale, or possesses for the purpose of trade or circulation products embodying a counterfeit industrial design or model, knowing such fact.
- Any person who, without right, affixes to products, advertisements, trademarks, specific tools, or otherwise, any indications leading to the belief that an industrial design or model has been registered.

In case of recurrence, the penalty shall be imprisonment for not less than one month and a fine not less than eight thousand pounds and not exceeding twenty thousand pounds.



In all cases, the court shall order the confiscation of the infringing design or model, the products constituting the subject of the offence, and the tools used in its commission, and shall order publication of the conviction judgment in one or more newspapers at the expense of the convicted person.

Article (135):

The President of the court having jurisdiction over the merits of the dispute may, upon the request of any interested party and by order issued on petition, direct the taking of one or more appropriate precautionary measures, and in particular:

- Establishing evidence of the infringement of the protected right.
- Making an inventory and detailed description of the infringing products and the instruments used or intended to be used in committing the offence.
- Seizure of the items referred to in subparagraph (2).

The President of the court may, in all cases, appoint one or more experts to assist the bailiff charged with enforcement and may require the applicant to deposit an appropriate bond.

The applicant must bring the substantive action before the competent court within fifteen days from the date of issuance of the order, failing which the order shall lapse and cease to have effect.

Article (136):

Any person against whom an order has been issued may lodge a grievance with the President of the issuing court within thirty days from the date of issuance or notification of the order, as the case may be.

The President of the court may confirm, revoke, or amend the order, in whole or in part.



Article (137):

The Minister of Justice, in agreement with the competent minister, shall issue a decree designating those officials vested with judicial enforcement powers for the implementation of the provisions of this Part.

Book Three — Copyright and Related Rights

Article (138):

For the purposes of applying the provisions of this Law, the following terms shall have the meanings set out opposite each:

- **Work:** Any original literary, artistic, or scientific creation, whatever its type, form of expression, importance, or purpose.
- **Originality:** The creative character that imparts individuality and authenticity to a work.
- **Author:** The person who creates the work. A person whose name appears on the work, or is attributed to it upon publication as its author, shall be deemed to be the author unless proven otherwise.

A person who publishes a work anonymously or under a pseudonym shall be considered its author provided that there is no doubt as to his identity; otherwise, the publisher or producer of the work—whether a natural or legal person—shall represent the author in exercising his rights until the author's identity is established.

- **Collective Work:** A work created by several authors under the direction of a natural or legal person who undertakes its publication under his own name and responsibility, in which the contributions of the authors merge into the overall objective pursued by that person, making it impossible to distinguish or separate the contribution of each author.
- **Joint Work:** A work that does not fall within the definition of a collective work and that is created jointly by two or more persons, whether or not the contribution of each can be separated.



- **Derivative Work:** A work derived from a pre-existing work, such as translations, musical arrangements, compilations of works, including computer databases whether readable by computer or otherwise, and collections of expressions of folklore, provided that the arrangement or selection of contents is original.
- **National Folklore:** All expressions embodying distinctive elements that reflect the traditional popular heritage developed or preserved within the Arab Republic of Egypt, particularly the following:
 - **Oral expressions:** tales, riddles, proverbs, popular poems, and other verbal traditions;
 - **Musical expressions:** folk songs accompanied by music;
 - **Performative expressions:** folk dances, plays, artistic forms, and rituals;
 - **Tangible expressions:** products of folk or applied arts, especially drawings in line or color, engraving, sculpture, pottery, ceramics, works in wood (including inlaid and mosaic work), metal or jewelry, handwoven bags, embroidery, textiles, carpets, garments, musical instruments, and architectural forms.
- **Public Domain:** All works that are excluded from protection ab initio or whose economic rights protection period has expired in accordance with this Book.
- **Reproduction:** The making of one or more identical copies of a work or a sound recording by any means or in any form, including permanent or temporary electronic storage of the work or recording.
- **Publication:** Any act by which a work, sound recording, broadcast program, or performance is made available to the public by any means.

The making available of a work to the public shall be subject to the author's or right holder's consent, while the making available of sound recordings, broadcasts, or performances shall require the consent of their producer or successor.



- **Producer of an Audio or Audiovisual Work:** The natural or legal person who takes the initiative to create the work and assumes responsibility for its completion.
- **Performers:** Persons who act, sing, recite, chant, play, dance, or otherwise perform literary or artistic works protected under this Law or belonging to the public domain, including expressions of folklore.
- **Producer of Sound Recordings:** The natural or legal person who first fixes the sounds of a work or of a performance by a performer, without incorporating the sounds into images as part of the making of an audiovisual work.
- **Broadcasting:** The audio or audiovisual transmission of a work, performance, or sound recording to the public by wireless means, including transmission by satellite.
- **Public Performance:** Any act by which a work is made accessible to the public, such as acting, reciting, playing, or broadcasting, enabling the public to experience the work directly or through sound or visual recordings.
- **Public Communication:** The wired or wireless transmission of images, sounds, or both of a work, performance, sound recording, or broadcast, enabling reception by persons outside the normal circle of family and close friends, in a place different from where the transmission originates — regardless of the time or place of reception, including on-demand access via computer or any other means.
- **Broadcasting Organization:** Any person or entity entrusted with, or responsible for, audio or audiovisual broadcasting by wireless means.
- **Competent Minister:** The Minister of Culture, except that the Minister of Information shall be competent in relation to broadcasting organizations, and the Minister of Communications and Information Technology shall be competent in relation to computer programs and databases.
- **Competent Ministry:** The Ministry of Culture, except that the Ministry of Information shall be competent in relation to broadcasting organizations, and the Ministry of Communications and Information Technology shall be competent in relation to computer programs and databases.



Article (139):

The protection accorded to copyright and related rights under this Law shall extend to Egyptian nationals and to foreign natural or legal persons who are nationals of, or domiciled in, any member state of the World Trade Organization (WTO), or to those accorded national treatment under international agreements to which the Arab Republic of Egypt is a party.

Persons regarded as equivalent to nationals of WTO member states shall include:

- In respect of copyright:
 - Authors whose works are first published in any member state of the WTO, or simultaneously in a non-member state and a member state.

A work shall be deemed to have been published simultaneously in several countries if it appears in two or more countries within thirty days from the date of its first publication.

The following shall not constitute publication: performance of a dramatic, dramatico-musical, or cinematographic work; performance of a musical work; public reading of a literary work; transmission of literary or artistic works by wire or broadcast; exhibition of an artistic work; or construction of an architectural work.

- Producers and authors of cinematographic works whose producer has his headquarters or habitual residence in a WTO member state.
- Authors of architectural works erected in a WTO member state, or of other artistic works incorporated in a building or structure situated in a WTO member state.
- In respect of related rights:
 - Performers, if any of the following conditions are met:
 - The performance took place in a WTO member state; or
 - The performance was fixed in a sound recording whose producer is a national of a WTO member state or whose first fixation occurred in the territory of



such a state; or

- The performance was broadcast by a broadcasting organization whose headquarters is located in a WTO member state, and the broadcast was transmitted from a transmitter situated in the territory of a WTO member state.
- Producers of sound recordings, if the first fixation of sound took place in a WTO member state.
- Broadcasting organizations, if their headquarters are located in the territory of a WTO member state, and the broadcast was transmitted from a transmitter located within the territory of a WTO member state.

Nationals of all WTO member states shall enjoy any advantage, preference, privilege, or immunity granted by any other law to nationals of any country with respect to intellectual property rights under this Law, unless such advantage, preference, or immunity arises from:

- Agreements on judicial assistance or general law enforcement; or
- Agreements on the protection of intellectual property rights that entered into force before 1 January 1995.

Article (140):

The protection provided under this Law shall extend to the rights of authors in their literary and artistic works, and in particular to the following:

- Books, booklets, articles, pamphlets, and other written works;
- Computer programs;
- Databases, whether readable by computer or otherwise;
- Lectures, speeches, sermons, and other oral works, if recorded;
- Dramatic, dramatico-musical, and pantomime works;
- Musical works, with or without words;



- Audiovisual works;
- Architectural works;
- Works of drawing, painting, sculpture, lithography, textile printing, and other similar works of fine art;
- Photographic works and works produced by a process analogous to photography;
- Works of applied and plastic arts;
- Illustrations, geographical maps, sketches, and three-dimensional works relating to geography, topography, or architectural design;
- Derivative works, without prejudice to the protection accorded to the original works from which they are derived.

Protection shall also extend to the title of a work if it is original.

Article (141):

Protection shall not extend to mere ideas, procedures, operational methods, concepts, principles, discoveries, or data, even if expressed, described, illustrated, or incorporated in a work.

Nor shall protection extend to the following:

- Official documents, whatever their original language or translation, such as texts of laws, regulations, decrees, international conventions, judicial decisions, arbitral awards, and decisions of administrative committees having judicial competence.
- News of the day or current events that are mere items of press information.

However, collections or compilations of such materials shall enjoy protection if their selection, arrangement, or presentation constitutes an original creation meriting protection.



Article (142):

National folklore shall be considered the public property of the people, and the competent ministry shall exercise the moral and economic rights of the author thereon and shall take the necessary measures to protect and promote such folklore.

Article (143):

The author and his universal successor shall enjoy perpetual, inalienable, and imprescriptible moral rights in relation to the work.

These rights shall include:

- The right to decide whether and when to make the work available to the public for the first time;
- The right to claim authorship of the work;
- The right to object to any distortion, mutilation, or modification of the work that the author deems prejudicial to his honor or reputation.

However, alterations made in the course of translation shall not constitute an infringement unless the translator fails to indicate deletions or modifications or acts in a manner prejudicial to the author's reputation.

Article (144):

The author alone may, if there exist serious reasons, request the Court of First Instance to order that his work not be distributed, or to order its withdrawal from circulation, or to permit the introduction of substantial modifications to it, notwithstanding the transfer of his economic exploitation rights.

In such case, the author must compensate in advance the assignee of the economic rights with equitable compensation, payable within a time limit fixed by the court; otherwise, the judgment shall be void of effect.



Article (145):

Any act purporting to dispose of, or encumber, any of the moral rights referred to in Articles (143) and (144) of this Law shall be absolutely null and void.

Article (146):

The competent ministry shall exercise the moral rights referred to in Articles (143) and (144) of this Book in cases where there is no heir or legatee, and after the expiry of the term of protection of the economic rights established herein.

Article (147):

The author and, after him, his universal successor shall enjoy the exclusive right to authorize or prohibit any exploitation of his work by any means, including in particular reproduction, broadcasting, rebroadcasting, public performance, communication to the public, translation, adaptation, rental, lending, or making available to the public, including making it available via computers, the Internet, information networks, telecommunications networks, or other means.

The exclusive right of rental shall not apply to computer programs where the program is not the primary object of the rental, nor to the rental of audiovisual works where such rental does not result in the proliferation of copies in a manner that causes material harm to the holder of the aforementioned exclusive right.

The author and, after him, his successor shall also enjoy the right of resale royalty (droit de suite) in respect of dispositions of the original copy of his work, entitling him to a percentage not exceeding 10% of the increase realized on each disposition of that original copy.

The author's right to prevent others from importing, using, selling, or distributing his protected work in accordance with this Law shall be exhausted where he has exploited and marketed it in any country or has authorized others to do so.



Article (148):

Protection of the right of the author—and of the person who has translated his work into another foreign language—to translate that work into Arabic shall lapse if the author or translator does not exercise that right himself or through others within three years from the date of first publication of the original or the translation.

Article (149):

The author may transfer to others all or part of his economic rights set out in this Law. For such a disposition to be valid, it must be in writing and must expressly and in detail identify each right that is the subject of the disposition, specifying its scope, purpose, term of exploitation, and territory.

The author shall retain ownership of all economic rights not expressly assigned, and his authorization to exploit one such right shall not imply authorization to exploit any other right in the same work.

Without prejudice to the author's moral rights under this Law, he shall refrain from any act that would impede the exploitation of the assigned right.

Article (150):

The author may receive monetary or in-kind remuneration that he considers equitable in return for transferring one or more of his economic exploitation rights to others, on the basis of a proportional share of the revenue generated by the exploitation; he may alternatively agree a lump sum, or a combination of both.



Article (151):

If the agreement referred to in Article (150) is, or becomes due to subsequent circumstances, inequitable to the author, the author or his successor may apply to the Court of First Instance to reconsider the agreed remuneration, taking into account the rights of the counterparty and without causing him harm.

Article (152):

Disposition by the author of the original copy of his work—whatever the form of disposition—does not entail transfer of his economic rights.

However, the acquirer shall not be obliged to enable the author to reproduce, copy, or exhibit the original copy, unless otherwise agreed.

Article (153):

Any disposition by which the author transfers the entirety of his future intellectual output shall be absolutely null and void.

Article (154):

The author's economic rights may be attached (seized) in respect of works that have been published or made available for circulation.

No attachment may be levied on works whose author dies before publication unless it is proven that his will was directed to their publication prior to his death.



Article (155):

Performers and their universal successors shall enjoy perpetual, inalienable, and imprescriptible moral rights, conferring:

- The right to claim attribution of the live or fixed performance to the performer, as created;
- The right to object to any alteration, distortion, or mutilation of their performance.

The competent ministry shall exercise these moral rights in the absence of an heir or legatee, after the expiry of the term of protection of the economic rights provided for in this Law.

Article (156):

Performers shall enjoy the following exclusive economic rights:

- To communicate their performances to the public and to authorize making available to the public, rental, or lending of the original fixation of the performance or copies thereof;
- To prohibit any exploitation of their performance by any means without their prior written authorization; in particular, it shall be prohibited to fix a live performance on a medium, to rent it for the purpose of obtaining direct or indirect commercial gain, or to broadcast it to the public;
- To rent or lend the original performance or copies thereof for the purpose of direct or indirect commercial gain, regardless of ownership of the original or the rented copies;
- To make a fixed performance available on demand via broadcasting, computers, or other means, so as to enable individual reception at any time or place.

The provisions of this Article shall not apply to performers' fixation of their performance as part of an audiovisual recording, unless otherwise agreed.



Article (157):

Producers of sound recordings shall enjoy the following exclusive economic rights:

- To prohibit any exploitation of their recordings by any means without their prior written authorization; in particular, reproduction, rental, broadcasting, or making available via computers or other means shall be deemed prohibited exploitations;
 - To make a sound recording available to the public by wire or wireless means, via computers, or by other means.
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Article (158):

Broadcasting organizations shall enjoy the following exclusive economic rights:

- To license the exploitation of their fixations (recordings) of broadcasts;
 - To prohibit any communication to the public of their television broadcast fixations without their prior written authorization; in particular, it shall be prohibited to record such programs, make copies, sell, rent, rebroadcast, distribute, or transmit them to the public by any means, including the removal or destruction of technological protection measures for such programs, such as encryption or otherwise.
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Article (159):

The provisions governing the assignment of the author's economic rights under this Law shall apply to holders of related rights.

Without prejudice to the exclusive rights accorded in this Law to performers and broadcasting organizations, such persons shall have only the right to receive equitable remuneration, once, for the direct or indirect commercial use of published programs for broadcasting or communication to the public, unless otherwise agreed.



Article (160):

The author's economic rights provided for in this Law shall be protected for the duration of his life and for fifty (50) years beginning from the date of the author's death.

Article (161):

The economic rights of the authors of joint works shall be protected for the lives of all of them and for fifty (50) years beginning from the death of the last surviving author.

Article (162):

The economic rights of the authors of collective works—except authors of works of applied art—shall be protected for fifty (50) years beginning from the date of publication or making available to the public, whichever is later, where the owner of the author's rights is a legal person. If the owner of such rights is a natural person, the term of protection shall be determined in accordance with Articles (160) and (161) of this Law.

The economic rights in works first published after the author's death shall expire fifty (50) years from the date of their publication or making available to the public, whichever is later.

Article (163):

The economic rights in works published anonymously or under a pseudonym shall be protected for a period of fifty (50) years, beginning from the date of publication or making available to the public, whichever occurs later.

However, if the author's identity becomes known or is revealed, the term of protection shall be determined in accordance with the rule laid down in Article (160) of this Law.



Article (164):

The economic rights of the authors of works of applied art shall subsist for a period of twenty-five (25) years, beginning from the date of publication or making available to the public, whichever occurs later.

Article (165):

In cases where the term of protection is calculated from the date of publication or making available to the public, the date of the first publication or first making available, whichever is later, shall constitute the starting point for the computation of the term, regardless of any subsequent publication or availability, unless the author has introduced substantial modifications upon republication such that the work may be regarded as a new work.

If the work consists of several parts or volumes published separately at intervals, each part or volume shall be deemed an independent work for the purpose of computing the term of protection.

Article (166):

Performers shall enjoy an exclusive economic right in relation to their performances, as provided in Article (156) of this Law, for a period of fifty (50) years beginning from the date of the performance or its fixation, as the case may be.

Article (167):

Producers of sound recordings shall enjoy an exclusive economic right in the exploitation of their recordings, as provided in Article (157) of this Law, for a period of fifty (50) years, beginning from the date of fixation or publication, whichever is later, within the limits prescribed by this Law.



Article (168):

Broadcasting organizations shall enjoy an exclusive economic right to exploit their broadcasts for a period of twenty (20) years, beginning from the date of the first transmission of such broadcasts.

Article (169):

Broadcasting organizations shall have the right to broadcast works performed in any public place.

Such organizations shall be required to announce the author's name and the title of the work when broadcasting and to pay the author fair monetary or in-kind remuneration, as well as any further compensation where appropriate.

Article (170):

Any person may apply to the competent ministry for the grant of a personal license to reproduce or translate, or both, a protected work under this Law, without the author's authorization, for the purposes set out in the following paragraph, upon payment of equitable compensation to the author or his successor, provided that such license does not conflict with the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author or right holder.

The license shall be granted by a reasoned decision specifying its duration and territorial scope, and shall be for the purpose of meeting the needs of education at all types and levels.

The Executive Regulations of this Law shall determine the cases and conditions for granting such licenses and the fee categories, which shall not exceed one thousand Egyptian pounds per work.



Article (171):

Without prejudice to the moral rights of the author under this Law, once a work has been published, the author may not prevent others from carrying out any of the following acts:

- Performing the work within a family circle or before students within an educational institution, provided that this is done without direct or indirect financial gain.
- Making a single copy of the work for strictly personal, private use, provided that such copying does not conflict with the normal exploitation of the work or cause unreasonable prejudice to the legitimate interests of the author or right holders.
- However, after publication of his work, the author or his successor may prohibit others from performing any of the following acts without authorization:
 - Reproducing or photographing works of fine, applied, or plastic arts unless such works are located in a public place, or reproducing architectural works;
 - Reproducing or copying all or a substantial part of the musical score of a musical work;
 - Reproducing or copying all or a substantial part of a database or computer program.
- Making a single backup copy of a computer program by its lawful possessor for the purpose of preservation or replacement in case of loss, damage, or unfitness for use, or extracting elements from the program beyond what is necessary for lawful use, provided that such extraction remains within the licensed purpose. The original or extracted copy must be destroyed once the possessor's lawful title ceases. The Executive Regulations shall specify the conditions and cases in which such extraction is permitted.
- Making analytical studies, quotations, or extracts from the work for purposes of criticism, discussion, or information.
- Reproducing a work for use in judicial or administrative proceedings, within the limits required by those proceedings, with acknowledgment of the source and the author's name.



- Reproducing short excerpts of a work, in written, audio, visual, or audiovisual form, for teaching purposes, for illustration or explanation, provided that the extent of reproduction is reasonable, does not exceed the intended purpose, and that the author's name and title of the work are indicated on each copy whenever practicable.
 - Reproducing an article or short work, or an extract from a work, when necessary for teaching purposes within educational institutions, subject to the following two conditions:
 - Reproduction shall be for one-time use or at separate, non-consecutive intervals;
 - The author's name and the title of the work shall be mentioned on each copy.
 - Reproducing a single copy of a work by a public archive, documentation center, or non-profit library, directly or indirectly, in either of the following cases:
 - When reproduction is of a published article, short work, or extract requested by a natural person for study or research purposes, provided it is done once only or at reasonable intervals;
 - When reproduction is made for preservation of the original copy, or to replace a lost, damaged, or unusable copy, where obtaining a substitute under reasonable conditions is impossible.
 - Temporary reproduction of a work occurring as part of, or incidental to, its digital transmission, or during the operation of a process intended to receive or access a digitally stored work, and within the normal operation of the device used by a person lawfully entitled to do so.
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Article (172):

Without prejudice to the author's moral rights under this Law, neither the author nor his successor may prevent newspapers, periodicals, or broadcasting organizations, within the limits justified by their purpose, from:

- Publishing excerpts from works lawfully made available to the public, or publishing his articles on topics of current public interest, unless the author has expressly prohibited such publication at the time of disclosure, provided that the source, author's name, and title of the work are mentioned.
- Publishing speeches, lectures, discussions, or addresses delivered in the public sessions of legislative or administrative bodies, or in public scientific, literary, artistic, political, social, or religious meetings, including judicial pleadings delivered in public hearings. However, the author or his successor shall retain the exclusive right to compile such works in collections attributable to him.
- Publishing excerpts from an audio, visual, or audiovisual work made available to the public, when such publication forms part of news coverage of current events.

Article (173):

The limitations applicable to the author's economic rights under this Law shall likewise apply to holders of related rights.

Article (174):

Where two or more persons jointly create a work in such a manner that the contribution of each cannot be separated, all the collaborators shall be deemed joint authors, holding equal shares, unless otherwise agreed in writing.

In such a case, none of them may individually exercise the author's rights without written consent of the others.

If the contribution of each author falls within a different artistic category, each shall have the right to exploit the part he contributed independently, provided this does not prejudice the exploitation of the joint work, unless otherwise agreed in writing.



Each joint author may bring legal proceedings for infringement of any author's right.

If one of the joint authors dies without leaving a general or special successor, his share shall devolve upon the remaining authors or their successors, unless otherwise agreed in writing.

Article (175):

The natural or legal person who initiates and directs the creation of a collective work shall alone enjoy the rights of authorship in respect thereof.

Article (176):

The publisher of a work issued without the author's name or under a pseudonym shall be deemed to be authorized by the author to exercise the rights provided for in this Law, unless the author has appointed another representative or has disclosed his identity and established his authorship.

Article (177):

First – The following persons shall be deemed joint authors of an audiovisual, sound, or visual work:

- The author of the screenplay or the originator of the written concept of the program;
- The person who adapts a pre-existing literary work so as to make it suitable for audiovisual presentation;
- The author of the dialogue;
- The composer of the music created specifically for the work;
- The director, where he has made an intellectual contribution to the realization of the work.



If the work is a simplification, adaptation, or extract of a prior work, the author of the original work shall be deemed a joint author of the new work.

Second – The screenwriter, adapter of the literary work, dialogue author, and director shall collectively have the right to present the audiovisual, sound, or visual work notwithstanding the objection of the author of the original literary work or of the music composer, without prejudice to the objecting author's rights arising from his participation in authorship.

Third – The author of the literary component or the musical component of the joint work shall have the right to publish his own contribution separately in a form other than that used for publication of the joint work, unless otherwise agreed in writing.

Fourth – If any of the co-authors of an audiovisual, sound, or visual work refuses to complete his part, the remaining co-authors may use the portions already completed by each of them, without prejudice to the rights accruing to the withdrawing co-author as a result of his contribution.

Fifth – The producer shall, during the agreed period of exploitation of the audiovisual, sound, or visual work, act as the representative of the authors and their successors in relation to agreements for its exploitation, without prejudice to the rights of the authors of adapted or arranged literary or musical works, unless otherwise agreed in writing. The producer shall be deemed the publisher of the work and shall enjoy the publisher's rights in respect thereof and its copies, within the scope of its commercial exploitation.

Article (178):

A person who takes a photograph of another may not publish, display, or distribute the original or copies thereof without the consent of the person depicted or of all persons appearing in the photograph, unless otherwise agreed.

However, publication shall be permissible in connection with public events, or where the photograph concerns persons of official, public, or local/international renown, or where publication is authorized by the competent public authorities in the public interest, provided that such publication or circulation does not prejudice the honor, reputation, or standing of the person depicted.



The person portrayed may authorize publication of the photograph in newspapers or other media even if the photographer objects, unless otherwise agreed.

These provisions shall apply to all forms of portraits, regardless of the medium or method, including drawing, engraving, or any other process.

Article (179):

The President of the competent court seized of the principal dispute may, upon petition by any interested party and by order on petition, direct one or more of the following conservatory measures or any other suitable precautionary measures in the event of an infringement of any right provided under this Book:

- To prepare a detailed description of the work, performance, sound recording, or broadcast program;
- To suspend publication, performance, broadcasting, display, copying, or manufacture of the work, performance, sound recording, or broadcast program;
- To seize the original or copies of the work, sound recording, or broadcast program, as well as the materials used for their reproduction, provided such materials are used solely for that purpose;
- To record evidence of the infringement of the protected right;
- To inventory and seize the revenues generated from the exploitation of the work, performance, sound recording, or broadcast program in all cases.

The President of the court may, in all cases, appoint one or more experts to assist the enforcement officer and may require the applicant to deposit an appropriate bond.

The applicant must bring the principal action before the competent court within fifteen (15) days from the date of the order, failing which the order shall cease to have effect.



Article (180):

Any party against whom such an order has been issued may appeal to the President of the issuing court within thirty (30) days from the date of its issuance or notification, as applicable.

The President of the court may affirm, revoke wholly or in part, or appoint a custodian whose duty shall be to republish, exploit, perform, manufacture, or reproduce the work, sound recording, or broadcast program, with the revenues deposited in the court treasury pending final adjudication of the dispute.

Article (181):

Without prejudice to any harsher penalty provided in another law, any person who commits any of the following acts shall be punishable by imprisonment for not less than one month and a fine of not less than five thousand (5,000) Egyptian pounds and not exceeding ten thousand (10,000) pounds, or by either of these penalties:

- Selling, renting, or distributing a work, sound recording, or broadcast program protected under this Law, in any form, without prior written authorization from the author or right holder;
- Imitating a work, sound recording, or broadcast program, or selling, offering for sale, circulation, or rental thereof, knowing that it is an imitation;
- Imitating in Egypt a work, sound recording, or broadcast program published abroad, or selling, offering, circulating, renting, or exporting it abroad, knowing that it is an imitation;
- Publishing a work, sound recording, broadcast program, or performance protected under this Law via computers, the Internet, information or communication networks, or other means, without prior written authorization;
- Manufacturing, assembling, or importing for sale or rental any device, means, or tool designed or adapted to circumvent technological protection measures employed by the author or right holder, such as encryption or similar means;



- Maliciously removing, disabling, or impairing any technological protection measure used by the author or right holder, such as encryption or otherwise;
- Infringing any moral or economic right of the author or of any holder of related rights provided under this Law.

Penalties shall be multiplied according to the number of works, recordings, programs, or performances involved in the offence.

In case of recidivism, the penalty shall be imprisonment for not less than three months and a fine of not less than ten thousand (10,000) pounds and not exceeding fifty thousand (50,000) pounds.

In all cases, the court shall order the confiscation of infringing copies or proceeds therefrom, as well as the equipment and tools used in the offence.

The court may also order the closure of the establishment used in committing the offence for a period not exceeding six months, which shall be mandatory in the event of recidivism in the offences specified in items (2) and (3) of this Article.

The court shall order the publication of a summary of the conviction judgment in one or more daily newspapers at the expense of the convicted person.

Article (182):

Where the parties to a dispute agree to arbitration, the provisions of the Arbitration Law in Civil and Commercial Matters, promulgated by Law No. 27 of 1994, shall apply, unless they agree otherwise.



Article (183):

The competent ministry shall issue a license for the commercial or professional exploitation of any work, sound recording, performance, or broadcast program that has fallen into the public domain, in return for a fee determined by the Executive Regulations of this Law, not exceeding one thousand (1,000) Egyptian pounds.

Article (184):

Publishers, printers, and producers of works, sound recordings, fixed performances, and broadcast programs shall be jointly liable to deposit one or more copies thereof, not exceeding ten copies, as determined by a decision of the competent minister, specifying the number of copies or substitute formats appropriate to the nature of each work, as well as the authority with which the deposit is to be made.

Failure to make such deposit shall not affect the author's or related rights provided under this Law.

The publisher, printer, or producer who violates the first paragraph of this Article shall be punishable by a fine of not less than one thousand (1,000) pounds and not exceeding three thousand (3,000) pounds for each work, sound recording, or broadcast program, without prejudice to the obligation to deposit.

Works published in newspapers, magazines, and periodicals shall be exempt from deposit, unless published separately.

Article (185):

The competent ministry shall establish a register for recording dispositions relating to works, performances, sound recordings, and broadcast programs subject to the provisions of this Law.

The Executive Regulations shall determine the registration system, for a fee not exceeding one thousand Egyptian pounds per entry.

Exempt from the fee referred to in this Article are applicants who are under twenty-one years of age, as well as persons to whom Law No. 10 of 2018 on the Rights of Persons with Disabilities applies.



In all cases, a disposition shall not be effective vis-à-vis third parties until registration has been completed.

Article (186):

Any person may obtain from the competent ministry a deposit certificate for a deposited work, recorded performance, sound recording, or broadcast program, upon payment of a fee determined by the Executive Regulations of this Law, not exceeding one thousand Egyptian pounds per certificate.

Article (187):

All establishments that place works, recorded performances, sound recordings, or broadcast programs into circulation—by sale, rental, lending, or licensed use—shall:

- Obtain a license from the competent minister, upon payment of a fee determined by the Executive Regulations of this Law, not exceeding one thousand Egyptian pounds; and
- Keep regular books recording the particulars of each work, sound recording, or broadcast program, and the year of its circulation.

Without prejudice to any more severe penalty in any other law, violation of this Article shall be punishable by a fine of not less than five thousand pounds and not exceeding ten thousand pounds.

In case of recurrence, the fine shall be not less than ten thousand pounds and not exceeding twenty thousand pounds.

Article (188):

The Minister of Justice, in agreement with the competent minister, shall issue a decree designating those officials vested with judicial enforcement powers for the implementation of this Law.



Book Four — Plant Varieties

Article (189):

For the purposes of this Book, the following terms shall have the meanings set out opposite each:

- **Breeder:** The person who has bred a plant variety, or discovered and developed it; The person employing the individual who bred or discovered and developed the variety, or who commissioned him to carry out that work; Any successor to any of the persons mentioned in the two preceding items.
- **Variety:** Any plant grouping within a single botanical taxon of the lowest known rank, whether or not the grouping satisfies the conditions for the grant of the breeder's right, provided that it can be defined by the characteristics resulting from a particular genotype or combination of genotypes, distinguished from any other plant grouping by at least one of the said characteristics, and considered as a unit by reason of its ability to be propagated unchanged.

Article (189 bis):

Plant varieties bred in the Arab Republic of Egypt or abroad shall enjoy protection under this Law, whether obtained by biological or non-biological methods, provided they are recorded in the Register of Plant Varieties for which protection is granted.

Article (190):

By decision of the Prime Minister, an office called the Plant Varieties Protection Office shall be established. This Office shall be responsible for receiving applications for the protection of plant varieties, examining and deciding upon them, and granting protection certificates, in accordance with the rules and procedures specified in the establishing decision.



Article (191):

Without prejudice to the international agreements in force in the Arab Republic of Egypt, any natural or legal person of Egyptian nationality or a foreigner who belongs to, resides in, or has a real and effective place of business in any state, entity, or organization that is a member of the World Trade Organization (WTO), or in a state or organization that is a member of UPOV (the International Union for the Protection of New Varieties of Plants), or that accords reciprocal treatment to the Arab Republic of Egypt, shall be entitled to the protection for plant varieties provided under this Law.

Article (192):

For a plant variety to enjoy protection, it must be new, distinct, uniform, and stable, and must have a denomination designating it, as follows:

1. **Novelty (Newness):** A variety shall be deemed new if, at the date of filing the application for the breeder's right in the Arab Republic of Egypt, no sale or transfer to third parties of propagating or harvested material of that variety for purposes of exploitation has taken place within Egypt by or with the consent of the breeder for more than one year prior to the filing date, or abroad for more than six years in the case of trees and vines, and four years for all other agricultural crops.

Where this Law is applied for the first time to a genus or species of plants not previously covered by it, varieties within such genera or species shall be deemed to satisfy the requirement of novelty, even if sale or transfer to third parties took place in Egypt up to four years (or six years for trees and vines) before the date of filing.

This provision shall apply only to applications filed within one year of the date on which this Law becomes applicable to such genera or species.

2. **Distinctness:** A variety shall be deemed distinct if it is clearly distinguishable from any other variety whose existence is a matter of common knowledge at the date of filing the application. The filing of an application for registration of a plant variety in an official plant variety register, or for the grant of a breeder's right, in any country shall be considered evidence that such variety is a matter of common knowledge, provided that the application leads to registration or the grant of a breeder's right, as the case may be.



3. **Uniformity:** A variety shall be deemed uniform if it is sufficiently uniform in its essential characteristics, subject to the variation that may be expected from the particular features of its propagation.
4. **Stability:** A variety shall be deemed stable if its essential characteristics remain unchanged after repeated propagation or, in the case of a particular cycle of propagation, at the end of each such cycle.

Any decision to grant protection shall be conditional upon examination to verify compliance with the above requirements.

The Plant Varieties Protection Office may, in the course of examination, grow the variety or conduct other necessary tests, whether on its own or through another entity. In all cases, the results of prior cultivation or other relevant tests shall be taken into consideration.

For the purpose of such examination, the Office may require the breeder to provide all information, documents, and materials necessary for testing.

Article (192 bis):

A variety shall be designated by a denomination that constitutes its common name.

Subject to paragraph (5) of this Article, no rights in the registered denomination shall prevent its free use, whether during the term of the breeder's right or after its expiry.

The denomination shall enable the identification of the variety and shall not consist solely of numbers unless these results from an established practice. It shall not be misleading or confusing concerning the characteristics, value, or identity of the variety or breeder, and must be different from any denomination designating an existing variety of the same or closely related species in the territory of any member of the International Union for the Protection of New Varieties of Plants (UPOV).

The breeder shall propose the denomination to the Plant Varieties Protection Office, which shall reject registration if the proposed denomination does not meet the requirements set forth in paragraph (3) of this Article and shall require the breeder to propose an alternative denomination within a specified period. The denomination shall be registered simultaneously with the grant of the breeder's right.



No prejudice shall be caused to prior rights of third parties. If, under paragraph (8) of this Article, any person is required to use a denomination that infringes a prior right, the Office shall oblige the breeder to propose another denomination.

Any variety submitted for registration in any UPOV member state shall bear the same denomination. The Plant Varieties Protection Office in each member state shall register the denomination as filed unless it deems it unsuitable, in which case it shall require the breeder to propose another denomination.

The Office shall notify the authorities of the other UPOV member states of information relating to the denomination of varieties, in particular regarding its submission, registration, or cancellation, and such authorities may communicate to the Office any observations concerning registration.

Any person who offers for sale or markets propagating material of a protected variety in Egypt shall use the registered denomination of that variety, even after the expiry of the breeder's right, provided that such use does not infringe prior rights pursuant to paragraph (5) of this Article.

When a variety is offered for sale or marketed, a trademark, trade name, or similar indication may be associated with the registered denomination, provided that the denomination remains easily recognizable.

Article (192 bis 1):

A breeder who has filed an application for the protection of a plant variety with the competent authority in a UPOV member state shall enjoy a right of priority if he files a subsequent application for protection of the same variety with the Plant Varieties Protection Office in Egypt within twelve (12) months from the filing date of the first application.

Priority shall be counted from the date of filing of the first application, excluding that day. To benefit from this right, the breeder must claim priority in the subsequent application.

The Office shall require the breeder, within three (3) months from the filing of the subsequent application, to submit a certified copy of the first application, issued by the authority with which it was filed, together with samples or other evidence proving that the variety in both applications is identical.



The breeder shall be allowed a period of two (2) years after the expiry of the priority period to supply the Office with all information, documents, or materials necessary for examination. A suitable time limit shall also be granted where the first application is rejected or withdrawn, starting from the date of such rejection or withdrawal.

No acts occurring during the priority period—such as filing another application, publication, or use of the variety—may be invoked to refuse the subsequent application or to establish any rights in favor of third parties.

Article (193):

The term of protection for plant varieties shall be:

- Twenty-five (25) years for trees and vines; and
- Twenty (20) years for all other agricultural crops.

The term of protection shall commence on the date of grant of the breeder's right certificate.

However, provisional measures shall be taken to protect the breeder's interests during the period between the filing of the application and the grant of protection. Such measures shall apply only to persons who have been notified by the breeder of the filing.

These provisional measures shall entitle the breeder to fair compensation from any person who, during the said period, has engaged in acts requiring the breeder's authorization under Article (194) of this Law.



Article (194):

Subject to Articles (195) and (198) of this Law, authorization from the breeder shall be required to carry out any of the following acts in respect of propagating material of a protected variety:

- Production or reproduction;
- Preparation for the purpose of propagation;
- Offering for sale;
- Sale or any other form of marketing;
- Export;
- Import;
- Storage for any of the foregoing purposes.

The breeder may subject his authorization to conditions or restrictions.

The foregoing provisions shall likewise apply to acts performed with harvested material—whether whole plants or parts thereof—obtained through the use of propagating material of a protected variety without authorization, unless the breeder has been afforded a reasonable opportunity to exercise his rights in such propagating material but failed to do so.

The foregoing provisions shall also apply to:

- Varieties whose production requires repeated use of the protected variety;
- Varieties that cannot be readily distinguished from the protected variety;
- Essentially derived varieties of the protected variety, unless the protected variety itself is essentially derived.

A variety shall be deemed essentially derived from the initial variety if:

- It is predominantly derived from the initial variety, or from a variety that is itself predominantly derived from the initial variety, while retaining the essential characteristics resulting from the genotype or combination of genotypes of the initial variety;



- It is clearly distinguishable from the initial variety; and
- It is conform to the initial variety in the expression of its essential characteristics resulting from the genotype or combination of genotypes of the initial variety, except for differences resulting from the derivation.

Essentially derived varieties may be obtained by selection of a natural or induced mutant, by selection of a somaclonal variant, by selection of a variant individual from plants of the initial variety, by backcrossing, or by transformation through genetic engineering.

Article (194 bis):

The breeder's right shall not be affected by measures regulating the production, certification, or marketing of plant variety materials, or the import or export of such materials. In all cases, such measures shall not prejudice the application of this Law.

Article (195):

The breeder's right shall not extend to:

- Acts done for private use or for non-commercial purposes;
- Acts conducted for experimental purposes;
- Acts carried out for the breeding of other varieties, and the acts referred to in paragraphs (1) and (3) of Article (194) of this Law where they relate to such other varieties, except in the cases provided for in paragraph (4) of the same Article.

Without prejudice to the breeder's legitimate interests, it shall not constitute infringement for farmers, within reasonable limits, to use harvested material obtained by planting the protected variety—or any variety referred to in paragraph (4) of Article (194)—on land they hold, for the purpose of propagation.



Article (196):

The Plant Varieties Protection Office may, for reasons of public interest and upon the proposal of the Minister of Agriculture, and after approval by a ministerial committee formed by decision of the Prime Minister, grant compulsory licenses authorizing third parties to perform the acts and activities referred to in Article (194) of this Law.

In such case, the breeder shall be entitled to equitable compensation.

Article (197):

A person granted a compulsory license under Article (196) shall comply with the license terms and may not assign the license to third parties or prejudice other rights of the breeder during its term.

The license shall expire upon the end of its term and shall be revoked if the licensee breaches any condition of the license.

Article (198):

The breeder's right shall not extend to acts concerning materials of the protected variety, or of any of the varieties referred to in paragraph (4) of Article (194) of this Law, nor to any products derived from such materials, where such materials have been sold or marketed by the breeder himself or with his consent in Egypt, except for:

- Acts of further propagation of any of the varieties referred to in this paragraph;
- Acts of export of materials of the protected variety that result in its propagation in a country where neither the variety nor its genus or species is protected, unless the purpose of the export is consumption.

For the purposes of the first paragraph, the materials to which the breeder's right does **not** extend are:

- Propagating material, whatever its form;



- Harvested material, including whole plants and parts thereof;
- Any product made directly from harvested material.

Acts performed in the member states of a regional organization of which the Arab Republic of Egypt is a member shall be deemed to have been performed in Egypt, where the organization's constitutive instrument so provides.

Article (199):

The Minister of Agriculture, upon the recommendation of the ministerial committee referred to in Article (196) of this Law, may restrict the breeder's exercise of his rights for the purpose of achieving the public interest. In such case, the breeder shall be entitled to equitable compensation.

Article (200):

Repealed.

Article (201):

The Plant Varieties Protection Office shall issue the breeder's right certificate in accordance with procedures set by the Executive Regulations, upon payment of a fee not exceeding ten thousand Egyptian pounds.

Where the Office engages other entities to conduct examinations, tests, or other necessary expert work, the applicant shall bear the costs, and the Executive Regulations shall set the rules and procedures for their collection.

An annual fee shall be payable throughout the term of protection, increasing progressively from the beginning of the second year; fee bands shall be set by the Executive Regulations, not exceeding two thousand Egyptian pounds per year.



Publication—at the right holder’s expense—shall be made in a monthly journal issued by the Office concerning applications, grants of breeders’ rights, proposed denominations, and approved denominations. The Office shall notify the applicant of any rejection decision and its reasons. Any interested party may appeal a decision granting the breeder’s certificate or refusing protection within sixty (60) days from the date of publication or notification, as applicable.

The appeal shall be subject to a fee set by the Executive Regulations, not exceeding one thousand Egyptian pounds.

The Executive Regulations shall set the rules and procedures for notification, filing, hearing, and determination of appeals.

Article (202):

The Plant Varieties Protection Office shall invalidate a breeder’s right certificate upon proof of any of the following:

- That the conditions in items (1) and (2) of the first paragraph of Article (192) were not satisfied by the variety at the time protection was granted;
- That the conditions in items (3) and (4) of the same paragraph of Article (192), referred to in item (1) above, were not fulfilled at the time protection was granted, where protection was based essentially on information and documents provided by the breeder;
- That the certificate was granted to a person not entitled thereto, unless the right has since been assigned to the entitled person.

The Office shall notify the concerned party of the invalidation decision by registered letter with acknowledgment of receipt, and such party may appeal within sixty (60) days from the date of notification.



Article (202 bis):

The breeder's right shall be revoked in any of the following cases:

- If, after protection is granted, the variety ceases to satisfy either of the conditions in items (3) and (4) of Article (192) (uniformity and stability);
- If the breeder fails to supply the Plant Varieties Protection Office with the information, documents, or materials necessary to verify the maintenance of the variety; the Executive Regulations shall specify such items and the rules and procedures for supplying them;
- If the breeder fails to pay fees and expenses due for any year of protection;
- If the breeder fails to propose an appropriate replacement denomination when the registered denomination has been canceled after protection was granted.

Notification of the revocation decision, and the rules and procedures for appealing and deciding such appeal, shall be as set out in the third and fourth paragraphs of Article (202) of this Law.

Article (202 bis 1):

The provisions of Book Four of the referenced Intellectual Property Law shall apply to the genera and species designated by the Minister of Agriculture; they shall apply to all genera and species upon the expiry of ten (10) years from the date this Law entered into force.

Article (203):

Without prejudice to any harsher penalty provided in any other law, any person who intentionally violates the provisions of this Book shall be punishable by a fine of not less than ten thousand (10,000) pounds and not exceeding fifty thousand (50,000) pounds. In case of recidivism, the penalty shall be imprisonment for not less than three months and not more than one year, and a fine of not less than twenty thousand (20,000) pounds and not more than one hundred thousand (100,000) pounds.



In all cases, the court shall order the confiscation of the seized seeds and propagating materials.

Article (204):

The President of the court having jurisdiction over the merits may, upon the request of any interested party and by order on petition, direct one or more suitable precautionary measures, and in particular:

- Recording the occurrence of infringement of the protected right;
- Inventorying and preparing a detailed description of infringing products and of the tools used or intended to be used in committing the offence;
- Seizure of the items mentioned in item (2).

The President of the court may, in all cases, appoint one or more experts to assist the enforcement officer and may require the applicant to deposit an appropriate bond. The applicant must bring the principal action before the competent court within fifteen (15) days from the date of the order, failing which the order shall cease to have effect.

Article (205):

Any interested party may appeal the order to the President of the issuing court within thirty (30) days from the date of its issuance or notification, as the case may be. The President of the court may confirm the order or revoke it in whole or in part, in accordance with the rules and procedures of the Code of Civil and Commercial Procedure.

Article (206):

The Minister of Justice, in agreement with the Minister of Agriculture, shall issue a decree designating those persons vested with judicial enforcement powers for implementing the provisions of this Book.



Translation of

the Protection of
Intellectual Property
Rights Law No. 1366

ترجمة اللائحة التنفيذية
لقانون حماية حقوق الملكية
الفكرية رقم ١٣٦٦

30 October 2025


ANDERSEN

Arab Republic of Egypt

Prime Minister's Decree No. 1366

Concerning the issuance of the Executive Regulations for Books One, Two, and Four of the Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002

Preamble

The Prime Minister,

Having reviewed the Constitution,

And Law No. 82 of 2002 on the Protection of Intellectual Property Rights,

Has decreed the following:

Promulgation Articles

Article (1):

The provisions of the attached Executive Regulations shall apply with respect to Books One, Two, and Four of the Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002.

Any provision contrary to the provisions of these Regulations shall be repealed.

Article (2):

This Decree shall be published in the Official Gazette and shall come into force on the day following the date of its publication.



Issued at the Cabinet of Ministers on the 18th of Jumada al-Akhirah, 1424 A.H.
(Corresponding to 16 August 2003 A.D.)

Executive Regulations

Book One: Patents and Utility Models, Layout Designs of Integrated Circuits, and Undisclosed Information

Chapter One: Patents and Utility Models

Article (1):

For the purposes of applying the provisions of this Part, the following words and expressions shall have the meanings set forth opposite each of them, unless the context otherwise requires:

- **The Law:** The Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002.
- **The Regulations:** The Executive Regulations of the Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002.
- **The Office:** The Patent and Utility Model Office.
- **The Patent:** A patent for invention or a patent for a utility model.
- **The Patent Register:** The register prepared by the Office for recording patent applications, decisions issued thereon, and any transactions related thereto.
- **The Gazette:** The Patents and Utility Models Gazette, issued by the Office to announce accepted applications, decisions issued thereon, and transactions relating thereto.
- **The Committee:** The Grievances Committee referred to in Article (36) of the Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002.



Article (2):

Applications for patents and utility model patents shall be submitted to the Patent Office on the form prepared for this purpose.

The fee specified in the schedule annexed to these Regulations shall be payable upon filing the application.

Applications submitted by students enrolled in educational institutions of all levels shall be exempt from this fee.

Article (3):

The patent application shall be accompanied by the following:

- A complete and detailed description of the invention or utility model in Arabic, drafted clearly and using correct technical terminology, including a statement of prior art, its deficiencies, what is new in the invention or utility model, and the best method known to the inventor for carrying it out. It shall also highlight the new elements to be protected in a specific and clear manner and include any relevant chemical equations, structural formulae, and drawings.

The applicant shall provide complete information on any applications filed abroad for the same invention or utility model or related subject matter, the outcomes of such applications, and the results of their examination, all on the prescribed form.

- A brief description of the invention or utility model in both Arabic and English, accompanied by structural formulae of chemical compounds, if any, on the prescribed form.
- Where the application relates to an invention or utility model involving biological materials of plant or animal origin, or traditional medical, agricultural, industrial, or handicraft knowledge, or cultural or environmental heritage, documents proving that the inventor obtained such materials lawfully in accordance with applicable Egyptian legislation shall be attached.



- If the application concerns microorganisms, the applicant shall disclose them in accordance with recognized scientific standards, providing all necessary information to identify their composition, characteristics, and uses. A live culture shall be deposited with one of the laboratories accredited by decision of the Minister responsible for scientific research, and a certificate of deposit shall be submitted.
- An extract from the applicant's entry in the commercial register, or an official copy of the document or decree establishing the entity, where the applicant is a legal person.
- Documents proving the applicant's legal capacity.
- Documents evidencing assignment of the invention or utility model from the rightful owner, if applicable.
- The certificate of temporary protection of the invention or utility model, if any.
- Proof of payment of the application fee.

Article (4):

The documents referred to in items (3), (4), (5), (6), and (7) of Article (3) of these Regulations may be submitted within four months from the date of filing the patent application.

The Arabic translation of the document referred to in item (1) of the same article, if filed in a foreign language, may be submitted within six months from the same date.

If the documents specified in the first paragraph are not submitted within the prescribed period, the application shall be deemed as if it had not been filed.



Article (5):

In the case provided for in Article (38) of the Law on the Protection of Intellectual Property Rights, where the application is filed with the Patent Office in the Arab Republic of Egypt, the applicant shall, in addition to the documents referred to in Article (3) of these Regulations, submit an official copy of the detailed description and drawings (if any) and other documents filed with the application in the foreign country or entity, duly certified by the authority responsible for industrial property protection therein, accompanied by an Arabic translation.

These documents shall be submitted with the application or within three months from its filing date, failing which the right of priority shall lapse.

Priority shall be determined, when the relevant conditions are fulfilled, by reference to the date of filing the first application in the foreign country or entity.

The protection period shall commence from the date of filing in Egypt, in accordance with Articles (9) and (30) of the aforementioned Law.

Article (6):

Patent and utility model applications shall be given consecutive numbers in order of the date and hour of receipt.

Numbering shall begin on the first of January each year.

The applicant shall be given a receipt indicating the serial number, and the application and its attachments shall be stamped by the Office with the same number, date, and time of receipt.

Article (7):

Applications shall be entered in the Patent Register, which shall include the following data:

- Serial number of the application.
- Date and hour of receipt.



- Name of the inventor.
 - Name, surname, and address of the applicant, or the name and address of the legal entity applicant, and the correspondence address.
 - Name and surname of the agent, if any.
 - Name of the foreign country or entity where an application for the same invention or utility model was filed, and the filing date thereof, if filed pursuant to Article (38) of the Law.
 - Transactions relating to the patent application.
 - Date of the decision granting the patent or utility model, patent number, and name of the rights holder.
 - Transactions and procedures relating to ownership of the patent or the right of exploitation.
 - Enforcement measures taken concerning the patent, if any.
-

Article (8):

An alphabetical index of applications received by the Office shall be prepared, showing the applicant's name, inventor's name, title of the invention or utility model, serial number, and date and hour of receipt.

The application and its attachments shall remain confidential until publication of its acceptance after at least one year from the filing date.

The index shall be made available to the public in the library annexed to the Patent Office.



Article (9):

The description of the invention or utility model shall not include any drawings except for necessary chemical equations or similar expressions.

If a technical drawing is required to clarify the description, it shall be prepared on a sheet in accordance with the rules set out in the following articles and attached to the description.

Article (10):

Drawings of the invention or utility model shall be made on white, smooth-surfaced, high-quality drawing paper of medium thickness, free of coloring and suitable for clear reproduction by photographic or equivalent means.

Article (11):

The paper used for drawings shall measure 21 cm × 29.5 cm and shall include a margin of 2.5 cm on all sides.

The various figures of the invention drawing shall be numbered consecutively, leaving adequate space between each figure.

More than one sheet may be used for the drawings when necessary.

Article (12):

The following rules shall be observed in preparing invention or utility model drawings:

- Use of dark black ink for outlining the drawing.
- Lines shall be distinct and of uniform thickness.
- Shading and hatching shall be minimized and sufficiently spaced to avoid confusion.
- Shading lines shall not differ markedly in thickness from main lines.



- No part of the drawing or shading shall be emphasized by darkening or coloring.
- The scale shall be sufficient to show the invention or utility model clearly, and the numerical scale shall be indicated.
- The title of the invention or utility model, or any part thereof, shall not appear on the drawing itself.
- Figures shall be drawn vertically relative to the sheet.
- Letters and numbers referring to parts of the drawing shall be legible, not less than 3 millimeters in height, and used consistently across figures. If written outside the drawing, they shall be connected by fine arrows.

These letters and numbers shall correspond exactly to those used in the detailed description.

- The drawing sheet shall be free from folds, creases, erasures, or other defects affecting its suitability for reproduction.

Article (13):

Each drawing sheet shall bear the following data:

- The word "Original."
- The applicant's name.
- The total number of drawing sheets and the serial number of each sheet.
- The serial number of the application and its date and hour of receipt.
- The signature of the applicant or his agent.

These particulars shall be entered, as appropriate, in a table at the lower right-hand corner of the sheet.



Article (14):

The Office may, where necessary, require the applicant to submit two samples or models, as the case may be, of the invention or utility model.

Article (15):

The Office may require the applicant for a patent or a utility model relating to chemical products for foodstuffs, pharmaceutical chemical products, or chemical products used in agriculture to submit two samples thereof.

The applicant shall prepare a list of the samples and their types and include it in the detailed description of the invention or utility model or annex it thereto.

The applicant shall indicate the submission of these samples at the top of the detailed description of the invention or utility model, and the Office shall record this indication when publishing the acceptance of the patent application in the Gazette.

Article (16):

The samples referred to in Article (15) of these Regulations shall be submitted in bottles not exceeding 8 cm in height and 4 cm in external diameter, tightly sealed with a stopper and stamped with red wax. A label shall be affixed to the samples indicating their connection with the product referred to in the description of the invention. The statement shall be written on a card affixed to, or attached to, the sample; in the latter case, the card shall not exceed 10 cm in length and 8 cm in width.



Article (17):

If the invention or utility model relates to a coloring substance, a sample thereof shall be submitted in accordance with Articles (15) and (16) of these Regulations, accompanied by specimens of goods printed or dyed with this substance. The specimens shall, as far as possible, be flat and mounted on cards measuring 33 cm in length and 21 cm in width, bearing a detailed statement of the printing or dyeing process, particularly the composition of the various solutions, their concentrations, the temperature, the duration of each process, and the degree of dye uptake by the dyeing material. The card shall also indicate the proportion of fixed coloring matter on the dyed materials and the composition of the printing paste, and it shall contain a statement showing the connection between the substance used in printing or dyeing and what is stated about it in the description of the invention or utility model.

Samples of toxic, caustic, explosive, and highly flammable substances shall bear a statement of their type and nature.

Article (18):

If it appears that the invention or utility model could be exploited in a manner that compromises national security, public order, or public morals, or causes serious harm to the environment, or to the life or health of humans, animals, or plants, the Patent Office shall suspend acceptance of the application pending the applicant's undertaking to refrain from exploiting the invention in any of the aforementioned ways.

Article (19):

The Office shall notify the applicant or his agent of its reasoned decision requiring amendments or completions to the application by registered letter with acknowledgment of receipt.

If the applicant does not carry out the required amendments or completions within three months from the date of notification, he shall be deemed to have abandoned his application.



Article (20):

The applicant may appeal the Office's decision before the committee referred to in Article (36) of the Law within thirty days from the date of notification of the decision, upon payment of the fee specified in the schedule annexed to these Regulations. The appeal shall be submitted in duplicate on the prescribed form.

The Office shall notify the appellant by registered letter with acknowledgment of receipt of the date on which the committee will convene to consider the appeal, and shall summon him to appear before it. The notice must reach him at least seven days prior to the hearing date.

A representative of the Office may attend the hearing of the appeal and has the right to respond to the appellant's objections.

The appellant shall be notified of the committee's decision and its reasons by registered letter with acknowledgment of receipt.

Article (21):

The applicant for a patent or a utility model may submit amendments to the patent application before publication of the decision accepting the application, provided that:

- The amendment does not depart from the subject of priority, where the application relies on Article (38) of the Law.
- The amendment does not affect the unity of the subject matter of the invention or utility model, whether in the complete detailed description, the technical problem, the new elements sought to be protected, or the drawings and chemical equations.



Article (22):

Without prejudice to Article (17) of the Law, the Office shall, after acceptance of the application, take the following measures:

First — Publication of the application in the Patents and Utility Models Gazette within ninety days from the date of the acceptance decision, and such publication shall include the following data:

- The applicant's name, nationality, and occupation; if the applicant is a legal person, its name, address, registered office, legal form, and purpose.
- The inventor's name, surname, nationality, and occupation.
- The title of the invention or utility model.
- The date of filing of the patent or utility model application abroad if the application relies on Article (38) of the Law.
- The serial number of the application.

Second — Enabling any interested member of the public to inspect at the Office the patent or utility model file, including the application, the description of the invention, its drawings, the related samples, all documents, and the entries recorded in the register. Any person may obtain copies thereof upon payment of the fee specified in the schedule of fees annexed to these Regulations.

If the invention relates to a microorganism, no sample thereof may be given to any member of the public during the term of protection except subject to the following conditions:

- The recipient must have the capacity to preserve the organism concerned.
- The purpose of obtaining the sample must be to use the organism for research, development, and experimentation.
- The recipient must undertake not to disseminate the organism to others. The foregoing conditions shall not restrict the grant of a sample of the microorganism to a person who has been granted a compulsory license.



Third — The Office shall notify the applicant, by registered letter with acknowledgment of receipt and within three months from the date of publication of acceptance, to submit at his expense five copies of the complete detailed description and five copies of the abstract description of the invention or utility model, in the format accepted by the Office, within a period not exceeding three months from the date of notification; otherwise, the application shall be deemed as if it had not been filed.

Fourth — Depositing one printed copy of the complete detailed description and one printed copy of the abstract description of the invention or utility model in the library annexed to the Patent Office.

Article (23):

An opposition to the continuation of the grant procedures shall be filed by means of a notice delivered to the Office in duplicate on the prescribed form within sixty days from the date of publication of the acceptance of the application in the Patents Gazette. The opposition shall not be admitted unless the fee specified in the schedule annexed to these Regulations is paid; the fee shall be refunded if the opposition is upheld.

Article (24):

The Office shall serve the applicant with a copy of the opposition by registered letter with acknowledgment of receipt within seven days from the date the opposition is filed. The applicant may reply to the opposition within fifteen days from the date of service; the reply shall be delivered to the Office in duplicate on the prescribed form.

The Office shall send the opponent a copy of the reply by registered letter with acknowledgment of receipt within seven days from the date the Office receives it.

Article (25):

The chair of the committee referred to in Article (36) of the Law shall fix a hearing to consider the opposition, and shall notify the patent applicant and the opponent of its date at least ten days in advance, by registered letter with acknowledgment of receipt.



Article (26):

If the committee decides to appoint an expert, its decision shall include:

- A precise statement of the expert's mandate.
 - The deadline for filing the expert's report.
 - The date of the hearing fixed for discussion of the report.
-

Article (27):

If the expert is a public employee or works for a public entity, the committee shall notify him of his appointment through his employing authority; if he is not, he shall be notified by registered letter with acknowledgment of receipt.

Article (28):

If the parties agree on an expert, the committee shall ratify their choice.

Article (29):

The Office shall notify the parties of the decision on the opposition and the reasons therefor within ten days from the date of its issuance, by registered letter with acknowledgment of receipt.

Article (30):

If no opposition to the continuation of the grant procedures is filed, or if an opposition is filed and a decision is issued rejecting it, the Office shall proceed with the grant procedures.



Article (31):

If the applicant, prior to grant, assigns all or part of his right in the patent, the assignee may request the Office to issue the patent in his name or jointly with others, as the case may be.

The request shall be made on the prescribed form and shall be accompanied by the deed of assignment or a certified copy thereof.

In all cases, the invention shall remain attributed to the inventor.

Article (32):

The decision granting the patent shall include the following particulars:

- Patent number.
 - Name of the inventor.
 - Name, nationality, and domicile of the patent owner; if a legal person, its name, address, and registered office.
 - Title of the invention or utility model.
 - Term of protection and its commencement and expiry dates.
 - Priority data.
-

Article (33):

The decision granting a patent or a utility model shall be published in the Patents and Utility Models Gazette.

The decision shall be recorded in the Patents and Utility Models Register, which shall include the particulars set forth in Article (32) of these Regulations.



Article (34):

An annual fee shall be payable for the patent, increasing progressively from the beginning of the second year until the expiration of the protection period, in accordance with the categories specified in the schedule annexed to these Regulations.

The Office shall notify the right holder by registered letter with acknowledgment of receipt of the due date for payment of the annual fees thirty days prior to that date.

If payment is not made by the due date, the applicant shall incur a late payment penalty of seven percent (7%) of the annual fee, calculated from the day following the due date.

If the annual fee or the late payment penalty remains unpaid for one year from the due date, the rights arising from the patent or utility model shall lapse, and the invention shall fall into the public domain.

The notification referred to in the preceding paragraph shall be sent to the most recent address notified by the right holder to the Office.

Article (35):

The annual fee shall be reduced to ten percent (10%) of the prescribed value for students enrolled in educational institutions of all levels, and to fifty percent (50%) for individuals or sole proprietorships employing no more than ten workers.

Article (36):

A request for the grant of a compulsory license for the exploitation of an invention or utility model, pursuant to the provisions of the Law, shall be submitted to the Office on the prescribed form.



Article (37):

A secretariat shall be established within the Office, by decision of the President of the Academy of Scientific Research and Technology, for the purpose of receiving applications for the issuance or acquisition of compulsory licenses, recording them in a special register in the order of their receipt, and preparing them for submission to the Office for examination.

Article (38):

The Office shall examine applications for compulsory licenses, verify compliance with the formal and substantive requirements, and refer those applications it deems appropriate for the grant of compulsory licenses to the Ministerial Committee referred to in Article (23) of the Law, accompanied by a memorandum stating its opinion.

Article (39):

As a condition for the grant of a compulsory license in the case referred to in item (Third) of Article (23) of the Law, the applicant must prove that he has previously negotiated with the patent owner, that a reasonable period for negotiation has elapsed, and that genuine efforts were made to obtain a voluntary license on reasonable terms.

When assessing the reasonableness of the terms offered, due regard shall be given to:

- The nature of the invention.
 - The remaining period of protection.
 - The consideration offered for the voluntary license.
-



Article (40):

A compulsory license may be granted only to a person capable of genuinely exploiting the invention within the scope and duration specified in the decision granting the license, and under the conditions set forth therein, through an operating establishment located in the Arab Republic of Egypt.

Article (41):

The owner of a patent in respect of which a compulsory license has been granted shall be entitled to fair compensation for the exploitation of his invention. The compensation shall be determined by a specialized committee formed by decision of the President of the Academy of Scientific Research and Technology.

In determining compensation, the committee shall in particular take into account:

- The remaining period of protection.
- The volume and value of licensed production.
- The relationship between the price of the product and the average per capita income.
- The investment required for research necessary for commercialization.
- The investment required for production.
- The availability of a comparable product in the market.
- The harm caused by abusive or anti-competitive practices by the patent owner.

The compensation assessment prepared by the committee shall be submitted to the Ministerial Committee referred to in Article (23) of the Law, which shall issue its decision determining the financial rights of the patent owner pursuant to that Article when issuing the compulsory license.



Article (42):

The Office shall notify the patent owner of the decision granting the compulsory license and of the decision determining compensation.

Notification shall be made immediately in the cases provided for in items (1) and (3) of paragraph (First), and paragraph (Second) of Article (23) of the Law, and as soon as reasonably practicable in the case provided for in item (2) of paragraph (First) of the same Article, by registered letter with acknowledgment of receipt.

Article (43):

The patent owner may appeal against the Office's decision to grant a compulsory license to another person, or against the decision determining compensation, before the committee referred to in Article (36) of the Law, within thirty days from the date of notification of the decision granting the license or of the decision determining compensation.

The appeal shall be submitted on the prescribed form.

The Office shall notify the appellant of the date of the hearing set for the appeal and summon him to appear before the committee at least seven days before that date, and shall also notify him of the committee's decision in the appeal.

All notifications shall be made by registered letter with acknowledgment of receipt.

Article (44):

The Office shall publish in the Gazette the decision declaring the lapse of a patent pursuant to item (Fifth) of Article (23) of the Law.

Any interested party may challenge that decision before the committee referred to in Article (36) of the Law within thirty days from the date of publication.



The challenge shall be submitted on the prescribed form, and the procedures and time limits set forth in Article (43) of these Regulations shall apply with respect to notifying the appellant of the hearing date and the committee's decision.

Article (45):

The transfer of ownership of patents, their mortgaging, the establishment of a usufruct right over them, or the imposition of attachment thereon shall be published in the Gazette.

Such transactions, together with the auction record where applicable, shall be recorded in the Patent Register upon a request submitted by the interested party on the prescribed form, accompanied by the supporting documents.

Article (46):

In determining fair compensation based on the prevailing economic value at the time of the decision to expropriate a patent in the cases referred to in Article (25) of the Law, the same criteria set forth in Article (41) of these Regulations shall be observed.

Article (47):

Patents whose owners' rights have expired pursuant to Article (26) of the Law shall be announced by publication in the Gazette.

The publication shall include the serial number of the patent, the date and reason for the expiration of rights, and such information shall also be recorded, together with the auction record where applicable, in the Patent Register.



Article (48):

An interested party may request the Office, on the prescribed form, to record in the register the following particulars:

- Any change in the name, surname, nationality, occupation, or address of the patent owner; and where the owner is a legal person, any change in its name, nationality, address, legal form, purpose, or registered office.
 - Any change in the address to which correspondence and documents relating to the patent are to be sent.
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Article (49):

If the inventor or utility model owner wishes to obtain temporary protection for his invention when exhibiting it at a national exhibition held in Egypt or an international exhibition pursuant to subparagraph (2) of item (2) of Article (3) of the Law, he shall notify the Office of his intention to exhibit prior to the display.

The notification shall be made on the prescribed form and accompanied by a brief description and drawing of the invention.

The Office may require the applicant to submit any additional information relating to the invention or utility model if it deems such information necessary to ascertain the elements or purpose of the invention or utility model.

Article (50):

The notifications referred to in Article (49) of these Regulations shall be recorded by the Office in a register containing the following particulars:

- Date of submission of the notification.
- Name of the exhibitor.
- Name, location, official opening date, and duration of the exhibition.
- Designation indicating the subject matter of the invention or utility model.



- Date of exhibition of the invention or utility model at the exhibition.

Article (51):

If the procedures and data referred to in Articles (49) and (50) of these Regulations are duly completed, the Office shall grant the inventor or utility model owner a certificate of temporary protection for his invention, entitling him to submit an application for a patent within a period not exceeding six months from the date on which the invention or utility model was first exhibited.

Article (52):

An interested party may appoint an agent to act on his behalf in filing a patent application, in lodging an opposition to the continuation of the grant procedures, or in taking any other action provided for in Part One of Book One of the Law or these Regulations.

Where the interested party or his agent is not resident in the Arab Republic of Egypt, he must appoint a registered Egyptian patent agent in Egypt to whom all notifications, documents, and papers provided for in the Law or these Regulations shall be sent.

In all cases, the power of attorney must be specific, duly notarized, and kept on file at the Office with the related documents.

Article (53):

If, after filing his application with the Patent Office in the Arab Republic of Egypt, the applicant wishes to obtain a patent abroad for the same invention or utility model, he may obtain from the Office a certificate confirming the filing of his application.

The certificate shall specify the purpose for which it is issued and be accompanied by a copy of the application and its attachments.

The Office may, before issuing the certificate, require the applicant to submit a certified copy of the attachments to the application.



Article (54):

If a patent is lost or damaged, the patent owner may request from the Office, on the prescribed form, a certified duplicate thereof.

Article (55):

The patent owner may request from the Office, on the prescribed form, the correction of any clerical or material error appearing in the patent application, the description of the invention or utility model, the decision granting the patent, or any entry recorded in the Patent Register.

Article (56):

A library shall be annexed to the Patent Office containing research papers, publications, and periodicals dealing with industrial property matters related to the Office's work, as well as those concerning various sciences, arts, and industries.

The library shall also hold the descriptions of inventions and utility models patented abroad, received through exchange arrangements, and shall make available to the public the documents and catalogues deposited therein.

The public shall be permitted to consult all such materials.

Article (57):

The Office shall issue a monthly periodical entitled *The Patents and Utility Models Gazette*, in which shall be published the information required by the provisions of the Law and these Regulations to be announced.



The Office shall also issue the following bulletins during the first month of each year:

- A bulletin containing concise data on the descriptions of inventions and utility models for which patents were granted during the preceding year.
 - A bulletin listing the names of persons granted patents during the preceding year, arranged alphabetically.
 - A bulletin listing the numbers of patents and utility models granted during the preceding year, indicating the subject matter of each, according to the technical classification adopted by the Office for cataloguing deposited inventions and utility models.
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Article (58):

The Minister responsible for scientific research shall, upon the recommendation of the President of the Academy of Scientific Research and Technology and in accordance with the legal procedures applicable to members of the judiciary, issue a decision establishing the Grievances Committee referred to in Article (36) of the Law.

The appointment of the chair and members of the Committee shall be for a renewable one-year term.

The decision shall specify the remuneration of the chair and members and shall also provide for the establishment of a technical secretariat responsible for preparing the grievance files and the accompanying memoranda and documents, recording the minutes of the Committee's sessions, and implementing its decisions.

Article (59):

Grievances shall be submitted to the Committee referred to in Article (58) of these Regulations on the prescribed form and upon payment of the fee specified in the schedule annexed thereto.



Article (60):

The chair of the Committee shall set the session for consideration of the grievance, and the Committee shall convene at least twice a month.

A session shall be deemed valid even if one of the expert members is absent. The complainant shall be notified of the scheduled session either in person, through his representative, or by registered letter with acknowledgment of receipt, sent to the address stated in the grievance or, if none is provided, to the address recorded in the file.

If the complainant fails to attend two consecutive sessions despite being duly notified, the Committee shall decide to consider his grievance as if it had not been submitted, and he shall in that case have no right to file a new grievance.

The Committee may invite any experts it deems appropriate to express their opinion on grievances under consideration, without such experts having a counted vote in deliberations.

The Committee shall issue its decisions—after hearing the complainant and the Office’s representative—by absolute majority, and in the event of a tie, the side on which the chair votes shall prevail.



**Book One: Patents and Utility Models, Layout Designs of Integrated Circuits,
and Undisclosed Information**

Chapter Two: Layout Designs of Integrated Circuits

Article (61):

An application for the registration of a layout design of integrated circuits shall be submitted to the Patent Office on the prescribed form, and each application shall relate to one layout design only.

The fee specified in the schedule annexed to these Regulations shall be payable upon filing the application.

Article (62):

The application shall be accompanied by the following:

- A schematic drawing reflecting the three-dimensional layout design, indicating the parts of the design for which protection is sought.
- A sample of the integrated circuit embodying the layout design for which protection is sought.
- Information clarifying the electronic function of the integrated circuit whose layout design is to be protected.
- An extract from the applicant's entry in the commercial register, or an official copy of the document or decree establishing the entity, if the applicant is a legal person.
- A notarized certificate of the first exploitation of the layout design in a foreign country.
- A notarized certificate of the first application filed for registration of the layout design in a foreign country.



- Receipt of payment of the application fee.
 - Documents proving the applicant's legal capacity.
 - Documents evidencing assignment of the layout design, if applicable.
-

Article (63):

The Office shall maintain a special register in which applications for the registration of layout designs of integrated circuits shall be recorded, containing the following data:

- The serial number of the application and its filing date.
 - The applicant's name, surname, nationality, and occupation, whether a natural or legal person.
 - The name and surname of the agent, if any.
 - The name of the foreign country or countries in which the layout design was first exploited and the date of first exploitation.
 - The name of the foreign country or countries in which an application for registration was first filed.
 - The date of the decision granting the certificate, when issued, and the number of such certificate.
-

Article (64):

The provisions applicable to patents set forth in these Regulations shall apply to layout designs of integrated circuits insofar as no specific provision is made to the contrary.



**Book One: Patents and Utility Models, Layout Designs of Integrated Circuits,
and Undisclosed Information**

Chapter Three: Undisclosed Information

Article (65):

The competent authority which, upon its request, receives undisclosed information required for the approval of the marketing of pharmaceutical or agricultural chemical products shall record, in a special register maintained for this purpose, the date of submission of such information.

It shall also take the necessary measures to protect the information from disclosure leading to unfair commercial use, in a manner consistent with the nature of such information, until the confidentiality ceases, or for a period not exceeding five years—whichever period is shorter.

Article (66):

The competent authority receiving the information shall record the handling and movement of such information, as well as any steps taken regarding it during examination, analysis, and testing stages.

All such data shall be recorded in the register referred to in Article (65) of these Regulations.

Article (67):

The competent authority possessing undisclosed information shall take all necessary measures to preserve its confidentiality, preventing access by anyone not authorized to handle it within the scope of their official duties.

The authority shall also establish a system for handling such information that ensures access only by those legally bound to maintain confidentiality and prevents any leakage to others.



Article (68):

The competent authority receiving undisclosed information may, where necessary for the protection of the public, disclose such information.

The competent Minister shall, by decision, determine the cases of necessity warranting such disclosure and the guidelines to be observed in this respect.

Article (68 bis):

For the purposes of implementing the provisions of this Part, notifications may be made by registered letter with acknowledgment of receipt or by any electronic means recognized by law as having evidentiary value under the legislation governing electronic signatures.

Book Two: Trademarks, Trade Data, Geographical Indications, and Industrial Designs and Models: Definitions

Article (69):

For the purposes of applying the provisions of this Book, the following words and expressions shall have the meanings assigned to each of them, unless the context otherwise requires:

- **The Law:** The Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002.
 - **The Authority:** The Commercial Registration Authority.
 - **The Department:** The General Department of Trademarks, Industrial Designs, and Models.
 - **The Gazette:** The Gazette of Trademarks, Industrial Designs, and Models.
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Book Two: Trademarks, Trade Data, Geographical Indications,
and Industrial Designs and Models

Chapter One: Trademarks, Trade Data, and Geographical Indications

Article (70):

The Commercial Registration Authority — General Department of Trademarks, Industrial Designs, and Models — shall be responsible for the registration of trademarks and all related procedures in the register maintained in accordance with the provisions of the Law and these Regulations.

Article (71):

An application for the registration of a trademark, or for the recording or amendment thereof, shall be submitted to the General Department of Trademarks at the Commercial Registration Authority by the interested party or his authorized agent under a special power of attorney, on the prescribed form.

An application for registration may cover one or more classes or types of goods or services, and in all cases, if accepted, a single certificate of registration shall be issued.

A fee shall be payable on filing the application and for all other procedures relating to the trademark, in accordance with the categories specified in the schedule annexed to these Regulations.



Article (72):

The application for registration shall be accompanied by the following:

- Four copies of a graphic representation of the trademark, each identical to the representation shown in the application form.
- The applicant's name, capacity, surname, nationality, correspondence address, and chosen domicile in the Arab Republic of Egypt, if any; or, if the applicant is a legal entity, its name and correspondence address. If the application is submitted by an agent, the agent's name, surname, and address shall be stated, together with a notarized power of attorney.
- The trademark sought to be registered.
- A list of the goods or services for which registration of the trademark is sought, indicating the number(s) of the relevant class(es).
- The location of the commercial establishment or enterprise in which the trademark is used or intended to be used to distinguish its products.
- Documentary evidence showing that the applicant has filed an application in a member state of the World Trade Organization or in a country granting reciprocal treatment to the Arab Republic of Egypt, if the applicant wishes to claim a right of priority.
- The certificate of temporary protection of the trademark, if any.

Documents submitted in a foreign language must be accompanied by an Arabic translation.

Article (73):

The documents referred to in Article (72) of these Regulations must be completed within six months from the date of filing the application for registration; otherwise, the application shall be deemed as if it had not been filed.



Article (74):

An application for trademark registration shall enjoy a right of priority if the following conditions are met:

- The earlier application was filed in a state or entity that is a member of the World Trade Organization or that grants reciprocal priority rights to Egypt.
- The earlier application was the first application filed for the registration of the same trademark in respect of the same goods or services covered by the application filed in Egypt.
- The applicant specifies the date on which the first application was filed.
- The claim for priority is submitted within six months from the date of filing the first application; otherwise, the right of priority shall lapse.

Where these conditions are satisfied, the date of filing of the first application shall be deemed the date for determining priority.

Article (75):

Applications for registration shall be recorded in a special register maintained by the Department under consecutive numbers according to their filing dates.

The applicant shall be given a receipt indicating the following details:

- The serial number of the application.
 - The applicant's name.
 - The date and time of filing.
-



Article (76):

A separate page in the Trademark Register shall be assigned to each registered trademark, containing the following data:

- The serial number and date of filing of the registration application.
- The date of registration of the trademark.
- The name, surname, nationality, and domicile of the person in whose name the trademark is registered, as well as his chosen domicile in the Arab Republic of Egypt.
- The goods or services for which the trademark is registered, together with the class number(s) of those goods or services.
- The location of the commercial establishment or enterprise in which the trademark is or is intended to be used to distinguish its products.
- Any conditions under which the trademark has been registered, if any.
- Any subsequent amendments or notations made after registration.
- Transfers of ownership, usufruct rights, or licenses for use.
- Mortgages of the trademark, discharge of mortgages, renewals or cancellations of registration.
- Attachment proceedings imposed on the trademark or their cancellation.

Article (77):

Trademarks shall be registered in the colors in which they are submitted.

If a trademark is filed without color, the Department may require the applicant to specify the color or colors assigned to the trademark or to any part thereof, provided this is done before publication of the acceptance of the application.



Article (78):

The page assigned to each trademark shall record any related trademarks, their registration numbers, and the evidence establishing such relationship.

Article (79):

Trademarks that are identical or similar, owned by the same person, and intended for goods of the same or similar kind shall be deemed **associated trademarks**.

Article (80):

The Department shall maintain both manual and electronic indexes arranged alphabetically and shall also keep samples of the graphic elements composing each registered trademark.

Article (81):

Where serious doubts arise regarding the accuracy of the data in the application or in the attached documents, the Head of the Authority or his delegate may summon the applicant or his agent for discussion by registered letter with acknowledgment of receipt sent to the correspondence address stated in the application for registration.

The applicant may be required, either in person or by such letter, to provide evidence establishing the accuracy of the said data or documents within a period not exceeding three months from the date of the request.

Article (82):

The Department shall issue, in the first week of each month, a special periodical entitled *The Gazette of Trademarks, Industrial Designs, and Models*, in which shall be published the data, drawings, and photographs required to be announced pursuant to the provisions of the Law and these Regulations.



Article (83):

If the trademark owner wishes to obtain temporary protection for his mark in a national or international exhibition pursuant to Article (72) of the Law, he shall notify the Department of his intention to exhibit prior to the display.

The notification shall be made on the prescribed form or any document containing its required data, accompanied by a graphic representation of the trademark.

The Department may require the applicant to submit any additional information concerning the trademark if deemed necessary.

Article (84):

Applications for temporary protection referred to in Article (83) of these Regulations shall be recorded in a register containing the following data:

- Date of submission of the application.
 - Name of the exhibitor.
 - The exhibition, its official opening date, and duration.
 - The goods on which the trademark appears.
 - Date on which the goods bearing the trademark were first exhibited.
-

Article (85):

Where the conditions and information referred to in Article (83) of these Regulations are satisfied, the Department shall issue the applicant a certificate of temporary protection for his trademark, entitling him to submit an application for registration within a period not exceeding six months from the date on which the goods bearing the trademark were introduced into the exhibition.



Article (86):

If a trademark includes any element or indication devoid of distinctive character, or consists merely of a customary designation for the goods, or of ordinary drawings or representations of goods, the Head of the Authority or his delegate may make the acceptance of registration conditional upon the applicant's waiver of such element or indication.

Article (87):

Before publication of the decision accepting the application, the Authority shall require the applicant to submit a cliché of the trademark or a copy thereof affixed to any medium deemed appropriate by the Authority.

If publication involves a group of trademarks, the Authority shall require the applicant to submit the cliché or copy referred to in the preceding paragraph for each of the trademarks forming the group.

The cliché or copy must conform to the specifications and requirements established by the Authority and be accompanied by three copies of the trademark identical to the representation appearing on the application form.

The cliché or copy shall be kept for one year, after which it shall be returned to the applicant upon request; otherwise, it shall become the property of the Department.

Article (88):

The decision accepting the application for registration of a trademark shall be published in the Gazette and shall include the following information:

- The name, surname, nationality, and chosen domicile in the Arab Republic of Egypt, if any, of the applicant.
- A true representation of the trademark sought to be registered.
- The serial number and filing date of the application.



- The goods or services for which registration is sought, indicating the relevant class or classes.
 - The location of the commercial establishment or enterprise in which the trademark is used or intended to be used to distinguish its products.
 - Any conditions imposed by the Authority for acceptance of the trademark registration, if any.
 - Any other data the Authority deems necessary.
-

Article (89):

Any interested party may object to a trademark that has been published as accepted for registration within sixty (60) days from the date of publication.

The objection shall be submitted to the Head of the Authority or his delegate in original and copy on the prescribed form or any document containing its data, accompanied by documents evidencing the objector's capacity and the seriousness of the grounds for objection.

The Head of the Authority or his delegate shall notify the applicant of the objection by registered letter with acknowledgment of receipt within thirty (30) days from the date of receipt of the objection.

Article (90):

The applicant shall submit to the Head of the Authority or his delegate a written, reasoned reply in duplicate within thirty (30) days from the date of being notified of the objection; otherwise, the applicant shall be deemed to have abandoned his application for registration.

The objector shall be notified of the reply within ten (10) days from the date of its receipt by registered letter with acknowledgment of receipt.



Article (91):

At the request of either the applicant or the objector, the Head of the Authority or his delegate shall hold a single hearing to hear their statements prior to issuing a decision, after payment of the prescribed fee.

Article (92):

The Authority shall notify both parties of the decision issued in respect of the objection within ten (10) days from the date of issuance by registered letter with acknowledgment of receipt.

If the decision rejects the objection, the applicant shall be granted a period of ninety (90) days from the date of notification to complete the registration procedures; otherwise, the application shall be deemed abandoned.

Article (93):

If no objection to registration is filed within sixty (60) days from the date of publication, the Authority shall notify the applicant of the decision to accept the registration of the trademark by registered letter with acknowledgment of receipt within ten (10) days from the date of issuance of the decision.

Article (94):

Refusal of trademark registration, or conditional acceptance thereof, shall be made by a reasoned decision of the Head of the Authority or his delegate.

In all cases, the applicant or his agent shall be notified in writing of this decision by registered letter with acknowledgment of receipt within thirty (30) days from the date of issuance.

The notification shall include a statement of the applicant's right to appeal to the committee referred to in Article (78) of the Law, as well as the time limits and procedures for lodging such appeal.



Article (95):

The formation of the committee referred to in Article (78) of the Law shall observe the following:

- At least one member of the committee shall have expertise in the subject of the appeal.
- The person who examined the trademark under appeal shall not be a member of the committee.

The committee shall consider the appeal in the presence of the Director General of the Department or his delegate, who shall respond to the appellant's objections.

The committee shall issue a reasoned decision on the appeal within one year from the date of its submission whenever possible.

The Authority shall notify the appellant of the committee's decision within fifteen (15) days from its issuance by registered letter with acknowledgment of receipt sent to the latest correspondence address provided by the appellant before the committee.

Article (96):

The appeal shall be submitted in duplicate on the prescribed form or any document containing its required data.

The Authority shall notify the appellant of the date of the hearing set for consideration of the appeal and shall summon him to appear before the committee to present his arguments and supporting documents.

Notification shall be sent at least fifteen (15) days before the scheduled hearing by registered letter with acknowledgment of receipt.



Article (97):

The registered trademark shall be published in the Gazette, and such publication shall include only the serial number, date of registration, name of the owner, and the number and date of the Gazette issue in which the acceptance of the application was published.

The owner of the trademark shall have the right to prevent others from using it without his authorization.

Article (98):

If the trademark owner wishes to cancel the registration of his mark, he or his authorized representative under a duly notarized power of attorney shall submit a written request to the Head of the Authority or his delegate.

The Authority shall issue its decision on such request within thirty (30) days from the date of submission, and the decision to cancel the registration shall take effect from the date of the request.

Article (99):

The owner of a registered trademark or his authorized representative under a special power of attorney may request an amendment to the mark or the recording of data relating thereto, provided such amendment does not affect the identity of the mark.

The request shall be accompanied by authenticated or certified supporting documents, as appropriate, together with four copies of the amended or updated trademark.

If the amendment or notation concerns the goods or services for which the mark is registered, it must be by deletion only, not addition.

The same procedures applicable to original registration applications shall apply to requests for amendment or notation.



Article (100):

Where the data to be amended or recorded in the register relate to associated trademarks, a single application shall suffice for such amendment or notation.

Article (101):

The Department shall record in the register any data relating to the cancellation, amendment, or notation of a trademark and shall publish them in the Gazette.

Such publication shall include the serial number of the trademark, the name of its owner, and details of the amendments or notations made, with reference to the number and date of the Gazette issue in which the registration of the mark was originally published.

Article (102):

A request to record in the register the transfer of ownership of a trademark or the establishment of any right in respect thereof shall be submitted by the transferee or his duly authorized representative under a notarized power of attorney.

The application shall be made on the prescribed form and shall include the following data:

- The serial number of the trademark.
- The names, surnames, and trade names of both the applicant and the transferor, their chosen domiciles in Egypt, and, if either or both are legal persons, their names, addresses, purposes, and principal offices.
- The applicant's residence and nationality.
- The name, surname, and address of the agent, if any.
- The date of transfer of ownership or establishment of the right.
- Authenticated or certified documentation evidencing the transfer of ownership.



- The goods or services to which the trademark applies, indicating the relevant class or classes.
 - The location of the commercial establishment or enterprise in which the trademark is used or intended to be used to distinguish its products.
-

Article (103):

The application for recording shall be accompanied by official or certified documents evidencing the transfer of ownership of the trademark or the establishment of any right in respect thereof.

If the applicant is a legal person, an official extract from its incorporation deed or articles of association shall also be attached.

Article (104):

The Department shall record in the register the transfer of ownership of the trademark or the establishment of any right in respect thereof, indicating the name, occupation, and address of the new owner, right holder, or person in whose favor an attachment has been made, as well as the reason, date, and entry date of the transaction.

The Authority shall notify the applicant or his agent of the entry by registered letter with acknowledgment of receipt within ten (10) days from the date of such entry.

Article (105):

An entry in the register recording the mortgage of a trademark, the creation of any real right in respect thereof, the imposition of attachment upon it, or the arrangement of a license to use it shall be made in accordance with the same procedures applicable to transfers of ownership.



Publication of a trademark mortgage, any other real right over the mark, or attachment thereof shall include the same particulars specified in Article (102) of these Regulations.

Article (106):

A notice shall be published in the Official Gazette concerning the transfer of ownership of a trademark or the creation of any right in respect thereof, and the publication shall include the following data:

- The serial number and filing date of the application.
 - The date of registration and the number and date of the Gazette issue in which the registration was published.
 - The name, surname, nationality, and chosen domicile in Egypt of the person in whose name the trademark was registered.
 - The goods for which the trademark is registered, indicating the relevant class or classes.
 - The name, surname, and nationality of the person to whom ownership of the trademark have been transferred or in whose favor any right has been created.
 - The date of the transfer of ownership or creation of the right, and the date of entry in the register.
 - The location of the establishment or enterprise in which the trademark is used or intended to be used to distinguish its products.
 - The location of the establishment or enterprise to which ownership of the trademark has been transferred or in whose favor the right has been created.
-



Article (107):

Cancellation of a trademark mortgage shall be recorded upon a request submitted to the Head of the Authority or his delegate by the trademark owner, accompanied by documents evidencing extinguishment of the mortgage.

Cancellation of a license to use the trademark shall be recorded upon a request submitted to the Head of the Authority or his delegate by the owner or the licensee, accompanied by supporting documents.

Publication of the cancellation entry in both cases shall be made in the Gazette, with reference to the number and date of the Gazette issue in which the mortgage or license was previously published.

Article (108):

The term of protection arising from registration shall be renewed in accordance with Article (90) of the Law. In filing renewal applications, the prescribed time limits shall be observed, and the applicable fees shall be paid in accordance with the categories set out in the annexed schedule.

The renewal application shall be made on the prescribed form or any document containing its required data.

Article (109):

The Department shall record in the register the renewal of the term of protection of the trademark and, upon the applicant's request and payment of the prescribed fee as per the annexed schedule, shall issue a certificate to that effect.

The application shall be made on the prescribed form or any document containing its required data.



Article (110):

Renewal of the term of protection of the trademark shall be published in the Gazette and shall include the following data:

- The serial number of the trademark.
 - The name of the owner.
 - The date of registration and the number and date of the Gazette issue in which the registration was published.
 - The date of the renewal application.
-

Article (111):

Cancellation of the registration of a trademark shall be recorded in the Trademark Register, and publication of such cancellation entry shall be made in the Gazette, including the following data:

- The serial number of the trademark.
 - The name of the owner.
 - The date of registration and the number and date of the Gazette issue in which the registration was published.
 - The reason for cancellation and the date on which it occurred.
-

Article (112):

Any person may request to inspect registered trademarks and may obtain extracts or copies from the register in which they are recorded.



The request shall be made on the prescribed form or any document containing its required data, upon payment of the prescribed fee according to the category listed in the annexed schedule.

Article (113):

Applications, correspondence, papers, and documents submitted to the Authority shall be in the Arabic language.

If submitted by a foreigner or a foreign entity, or drafted in a foreign language, they must be accompanied by an Arabic translation signed by the applicant or his agent.

Where the translation relates to a transfer of ownership of a trademark or the creation of any right over it, the translation must be notarized or certified, as the case may be.

Article (114):

Applications referred to in this Book must be accompanied by receipts evidencing payment of the prescribed fees as specified in the annexed schedule.

Article (115):

If the trademark sought to be registered contains any geographical indication, the provisions of Articles (104) to (111) of the Law shall be observed upon registration.



Book Two: Trademarks, Trade Data, Geographical Indications,
and Industrial Designs and Models

Chapter Two: Industrial Designs and Models

Article (116):

The Commercial Registration Authority — General Department of Trademarks, Industrial Designs, and Models — shall be competent to register industrial designs and models in the register maintained for this purpose, in accordance with the provisions of the Law and these Regulations.

Article (117):

An application for the registration of an industrial design or model shall be submitted to the Department on the prescribed form or any document containing its required data by the interested party or his authorized agent under a special power of attorney.

A single application may cover a number of industrial designs or models not exceeding fifty, provided they together constitute a homogeneous unit.

The prescribed fee shall be paid for each application according to the number of designs or models it contains, in line with the categories set out in the annexed schedule.

Article (118):

The application for registration shall include the following data:

- The applicant's name, capacity, surname, nationality, residence, correspondence address, and chosen domicile in the Arab Republic of Egypt, where applicable. If the application is submitted by an entity or legal person, its name, address, correspondence address in the Arab Republic of Egypt, legal status, and country of incorporation shall be stated.



If the application is submitted by a representative of the applicant, the representative's name, surname, and address shall also be included.

- The number of industrial designs or models for which registration is sought and the goods to which they apply, if any.
- The name of the foreign country in which an application for registration of the design or industrial model has been filed, the date of filing, and the name of the person in whose name the foreign application was made, if the application involves a claim of priority.
- The exhibition in which the design or industrial model was displayed or announced, and the official opening date of the exhibition, if the applicant obtained a certificate of temporary protection.
- The signature of the applicant or his authorized representative. Where the applicant is a legal person, the signature must be that of a duly authorized officer.

Article (119):

The application for registration shall be accompanied by the following:

- Four copies of each design or industrial model; however, a physical sample of the product to which the design or model applies may be submitted if it can be preserved.
- Where the applicant is a legal person or entity, an extract from its entry in the commercial register, or an official copy of its incorporation deed or articles of association, shall be attached.
- If the application is submitted in accordance with Article (132) of these Regulations, it must be accompanied by a certified copy of the design or industrial model deposited with the registration application in the foreign country, certified by the industrial property authority therein. The certified copy shall be submitted with the application or within six months from the date of filing with the Department of Industrial Designs and Models if the applicant requests such extension in writing. The design or industrial model filed in Egypt must be identical to that filed abroad.



- If the application relates to a right of priority in connection with exhibition display, it must be accompanied by the certificate of temporary protection.
-

Article (120):

The sheet containing the image of the design or industrial model shall include the following particulars:

- The applicant's name.
- The serial number of the designs or industrial models attached to the registration application, indicated at the top right of the sheet.
- The applicant's or agent's signature at the lower right of the sheet.

No statement may be written on the sheet regarding the design, industrial model, or the products for which it is intended.

Article (121):

Applications for registration of industrial designs and models shall be recorded in a special register maintained by the Department under consecutive numbers according to their filing dates.

The applicant shall be given a receipt including the following data:

- The serial number of the application.
 - The applicant's name.
 - The date and time of filing.
-



Article (122):

The Department shall maintain manual and electronic indexes of industrial designs and models for which registration applications have been filed, and these shall be classified according to international classification standards.

Article (123):

An industrial design or model may not include words, letters, or numbers unless they constitute essential elements that cannot be separated from the design or model; otherwise, they shall be removed.

Article (124):

The register in which applications are recorded shall include the following data:

- The serial number of the application.
- The date and time of filing and the date of registration.
- The data relating to the applicant and his representative, if any, as required in the registration application.
- The name of the foreign country or entity to which the application for registration of the design or industrial model was submitted, and the date thereof, if the application relates to a right of priority.
- The number of designs or industrial models, the classes under which they were registered, and their status.
- The conditions imposed by the Department for registration.
- Any amendments or annotations made after registration.



- Transactions affecting the design or industrial model, including transfers of ownership, mortgages, or licenses of use.
- Attachment proceedings imposed on the design or industrial model, or their cancellation.
- Cancellation of mortgages or licenses of use.
- Renewal of registration pursuant to the Law.
- The name and opening date of the exhibition in which the design or model was displayed, if any.
- Certificate of temporary protection, if any.
- Publication details concerning the design or model and any certificate of temporary protection.

Article (125):

Upon the request of the interested party, a period not exceeding six months from the date of filing may be granted to complete the documents required under Article (119) of these Regulations, except for item (1) thereof.

For the application to be accepted, the applicant must pay the prescribed fee according to the schedule annexed to these Regulations.

If the applicant fails to submit the required documents within the period specified in the first paragraph, the application shall be deemed abandoned.



Article (126):

Where serious doubts arise concerning the accuracy of the data contained in the application or its supporting documents, the Head of the Authority or his delegate may summon the applicant or his agent for discussion, and may also require the applicant to submit proof of the accuracy of such data or documents within a period not exceeding three months from the date of being so requested.

The summons shall be sent by registered letter with acknowledgment of receipt to the correspondence address indicated in the registration application.

Article (127):

Refusal of registration of a design or industrial model, or conditional acceptance thereof, shall be made by a reasoned decision of the Head of the Authority or his delegate.

In all cases, the applicant or his agent shall be notified in writing of such decision by registered letter with acknowledgment of receipt within thirty (30) days from the date of issuance.

The notification shall include a statement of the applicant's right to appeal to the committee referred to in Article (124) of the Law, together with the relevant deadlines and procedures for filing the appeal.

Article (128):

The formation of the committee referred to in Article (124) of the Law shall observe the following rules:

- At least one member of the committee shall have expertise in the subject of the appeal.
- The person who examined the design or industrial model subject to appeal shall not be among the members of the committee.

The committee shall consider the appeal in the presence of the Director General of the Department or his delegate, who shall respond to the appellant's objections.



The Authority shall notify the appellant of the committee's decision within fifteen (15) days from its issuance by registered letter with acknowledgment of receipt sent to the latest correspondence address provided by the appellant before the committee.

Article (129):

The appeal shall be submitted in duplicate on the prescribed form or any document containing its required data.

The Authority shall notify the appellant of the date of the hearing set for the consideration of the appeal and summon him to appear before the committee to present his arguments and supporting documents.

Notification shall be sent at least fifteen (15) days before the scheduled hearing by registered letter with acknowledgment of receipt.

Article (130):

The provisions applicable to trademarks set forth in Articles (86), (87), (88), (89), (90), (91), and (92) of these Regulations shall apply to industrial designs and models insofar as no specific provision is made to the contrary.

Article (131):

The owner of a registered design or industrial model may request amendments or notations to the recorded data without altering the design or model itself.

The request shall be submitted by the owner or his authorized agent under a special power of attorney expressly permitting such action, and the supporting documents must be duly notarized or certified.



Article (132):

Any person wishing to claim an earlier deposit of a design or industrial model pursuant to Article 4 of the Paris Convention for the Protection of Industrial Property shall file in Egypt an application for the registration of the same design or model within six months from the date of the first deposit made in any member state of the World Trade Organization or in a country granting reciprocal treatment to Egypt.

Article (133):

A request to record in the register the transfer of ownership of a design or industrial model or the creation of any real right over it shall be submitted by the transferee or his duly authorized representative under a notarized power of attorney.

The request shall be made on the prescribed form and shall include the following data:

- The serial number of the design or industrial model.
 - The names, surnames, and trade names of both the applicant and the transferor, their chosen domiciles in Egypt, and, if either or both are legal persons, their names, addresses, and purposes of establishment.
 - The applicant's residence and nationality.
 - The name, surname, and address of the agent, if any.
 - The date of transfer of ownership or creation of the right.
 - The notarized or certified document evidencing the transfer of ownership.
 - The goods to which the design or industrial model applies, indicating the class or classes concerned.
 - The location of the establishment or enterprise in which the design or industrial model is or is intended to be used, if any.
-



Article (134):

The request for recording shall be accompanied by notarized or certified documents evidencing the transfer of ownership or creation of any right in respect of the design or industrial model.

If the applicant is a legal person, an official extract from its incorporation deed or articles of association shall also be attached.

Article (135):

The Department shall record in the register the transfer of ownership of a design or industrial model or the creation of any right in respect thereof, stating the name, occupation, and address of the new owner or right holder or of the person in whose favor an attachment has been made, together with the reason, date, and registration date of the transaction.

The Authority shall notify the applicant or his agent of the recording by registered letter with acknowledgment of receipt within ten (10) days from the date of entry.

Article (136):

Publication in the Gazette of the transfer of ownership of a design or industrial model or the creation of any real right over it shall include the following particulars:

- The serial number and filing date of the registration application.
- The date of registration and the number and date of the Gazette issue in which it was published.
- The name, surname, nationality, and chosen domicile in Egypt of the person in whose name the design or industrial model was registered.
- The goods in respect of which the design or model was registered, indicating the relevant class or classes.



- The name, surname, and nationality of the person to whom ownership of the design or industrial model have been transferred or in whose favor a right has been established.
- The date of transfer or creation of the right and the date of entry in the register.
- The location of the establishment or enterprise in which the design or industrial model is or is intended to be used.
- The location of the establishment or enterprise to which ownership of the design or industrial model has been transferred or in whose favor a right has been created.

Article (137):

Cancellation of a mortgage on a design or industrial model shall be recorded upon a request submitted to the Head of the Authority or his delegate by the owner, accompanied by documents proving the discharge of the mortgage.

Cancellation of a license to use the design or industrial model shall be recorded upon a request submitted to the Head of the Authority or his delegate by the owner or the licensee, accompanied by supporting documents.

Publication of such cancellation shall be made in the Gazette in both cases, indicating the number and date of the Gazette issue in which the mortgage or license was originally published.

Article (138):

The term of protection resulting from registration shall be renewed in accordance with Article (126) of the Law.

When submitting a renewal request, the prescribed time limits and payment of the applicable fees specified in the annexed schedule must be observed.



The renewal request shall be made on the prescribed form or any document containing the required data.

Article (139):

The Department shall record in the register the renewal of the term of protection for the design or industrial model. Upon request, the applicant shall be issued a certificate thereof after payment of the prescribed fee in accordance with the category specified in the annexed schedule.

The application shall be made on the prescribed form or on any document containing the required data.

Article (140):

Renewal of the term of protection of the design or industrial model shall be published in the Gazette and shall include the following particulars:

- The serial number of the design or industrial model.
 - The name of the owner.
 - The date of registration and the number and date of the Gazette issue in which the registration was published.
 - The date of submission of the renewal application.
-



Article (141):

The register of industrial designs and models shall include entries for the cancellation of registrations. Publication of such cancellation in the Gazette shall include the following particulars:

- The serial number of the design or model.
 - The name of the owner.
 - The date of registration and the number and date of the Gazette issue in which the registration was published.
 - The reason for cancellation and the date on which it occurred.
-

Article (142):

All applications provided for in this Book shall be accompanied by receipts evidencing payment of the prescribed fees as specified in the annexed schedule.

Article (143):

Applications, correspondence, documents, and papers submitted to the Authority shall be drafted in the Arabic language.

If submitted by a foreign person or entity, or prepared in a foreign language, they must be accompanied by an Arabic translation signed by the applicant or his agent.

If the translation relates to the transfer of ownership of a design or industrial model or the creation of any right therein, it must be duly notarized or certified.



Article (144):

Any person may request to inspect registered designs or industrial models, and may also obtain extracts or copies from the relevant register.

The request shall be made on the prescribed form or on any document containing the required data, upon payment of the prescribed fee in accordance with the categories set forth in the annexed schedule.

Article (145):

If the owner of a design or industrial model wishes to obtain temporary protection for the design or model displayed at a national or international exhibition in accordance with Article (132) of the Law, he must notify the Department of his intention to exhibit prior to doing so.

The notification shall be made on the prescribed form or on any document containing the required data, accompanied by a pictorial representation of the design or industrial model.

The Department may require the applicant to provide any additional information relating to the design or model if deemed necessary.

Article (146):

Applications for temporary protection, as referred to in Article (77) of these Regulations, shall be entered in a register containing the following data:

- The date of submission of the application.
- The exhibitor's name.
- The exhibition, its official opening date, and duration.
- Details of the design or industrial model.
- The date on which the design or model, or the product embodying it, was introduced into the exhibition.



Article (147):

If the conditions and data specified in Article (145) of these Regulations are satisfied, the Department shall grant the applicant a certificate of temporary protection for the design or industrial model, enabling him to file an application for registration within a period not exceeding six months from the date the design or model, or the product embodying it, was introduced into the exhibition.

Article (148):

An application for the grant of a compulsory license for the exploitation of a design or industrial model pursuant to the provisions of the Law shall be submitted to the Authority on the prescribed form.

Article (149):

A Secretariat shall be established within the Authority by a decision of its Head. Its function shall be to receive and record applications for the grant of compulsory licenses or for obtaining them, in a special register arranged by date of receipt, and to prepare them for submission to the Authority for examination.

Article (150):

The Authority shall examine applications for compulsory licenses, verifying their formal and substantive compliance.

Applications deemed suitable for the grant of a compulsory license shall be referred, together with a memorandum and the Authority's opinion, to the Ministerial Committee referred to in Article (129) of the Law.



Article (151):

For the grant of a compulsory license under Article (129) of the Law, the applicant must prove that he has previously negotiated with the owner of the design or industrial model, made serious efforts to obtain a voluntary license on reasonable terms, and that a reasonable period of negotiation has elapsed.

In assessing the reasonableness of the proposed terms, consideration shall be given in particular to:

- The nature of the design or industrial model.
- The remaining period of protection.
- The remuneration offered for the voluntary license.

Article (152):

A compulsory license may be granted only to a person capable of genuinely exploiting the design or industrial model within the scope and duration specified in the license decision and under the conditions contained therein, through an operating establishment located in Egypt.

Article (153):

The owner of a design or industrial model in respect of which a compulsory license has been granted shall be entitled to equitable compensation for the exploitation of the design or model.

The compensation shall be determined by a specialized committee established by a decision of the Head of the Authority.

In determining such compensation, the committee shall consider, in particular:

- The remaining period of protection.
- The volume and value of licensed production.
- The relationship between the price of the product and the average per capita income.



- The level of investment required for the research necessary for commercialization.
- The level of investment required for production.
- The availability of similar products in the market.
- The harm caused by any abusive or anti-competitive practices of the owner of the design or model.

The committee's assessment of compensation shall be submitted to the Ministerial Committee referred to in Article (129) of the Law for its decision on the final amount of compensation.

Article (154):

The Authority shall promptly notify the owner of the design or industrial model of the decision granting the compulsory license and of the decision determining the compensation, by registered letter with acknowledgment of receipt.

Article (154 bis):

For the purposes of implementing the provisions of this Chapter, notifications may be made by registered letter with acknowledgment of receipt or by any electronic means having evidentiary value in accordance with the Law regulating electronic signatures



Book Four: Plant Varieties

Article (155):

For the purposes of applying the provisions of this Book, the following terms and expressions shall have the meanings set opposite each of them:

- **(The Law):** The Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002.
- **(The Office):** The Plant Variety Protection Office.
- **(Breeder):** Any person who has developed a plant variety characterized by novelty, distinctness, uniformity, and stability.
- **(Certificate):** The Breeder's Right Certificate.
- **(Protected Variety):** Any plant variety for which a Breeder's Right Certificate has been granted.
- **(Propagating Material):** Seed, cutting of the plant variety, or any part thereof that permits its propagation.
- **(The Gazette):** The Egyptian Gazette of Protected Plant Varieties.
- **(Genetic Resources Bank):** A facility for the long-term preservation of Egyptian genetic resources and plant varieties.
- **(Plant Varieties Register):** The register in which applications for protection, Breeder's Right Certificates, and the denominations of protected plant varieties are recorded.
- **(Genetic Resources Register):** The register in which Egyptian plant genetic resources—both wild and local—are recorded.



Article (156):

The Plant Variety Protection Office shall be responsible for receiving, examining, and deciding upon applications for the protection of plant varieties, and for granting protection certificates in accordance with the Law and these Regulations, pursuant to the rules and procedures set out in the decision establishing the Office.

Article (157):

Applications for the protection of a plant variety shall be submitted to the Plant Variety Protection Office on the prescribed form, following the rules and procedures referred to in Article 156 of these Regulations.

Article (158):

An application for a Breeder's Right Certificate shall be accompanied by:

- Receipt evidencing payment of the fees.
- The technical description of the variety on the prescribed form.
- A certificate from the Genetic Resources Bank evidencing the deposit of a representative sample of the variety subject to the application.
- Certified copies of applications filed in any foreign state for protection of the same variety, each accompanied by a certified Arabic translation.
- A certificate of registration of the genetic resource in the register.

The applicant may attach any other supporting documents, provided they are certified and accompanied by an Arabic translation.



Article (159):

The documents referred to in items (3), (4), and (5) of Article (158) of these Regulations may be submitted within four months from the date of filing the application for protection.

If any of the documents referred to in the preceding paragraph are not submitted within the prescribed period, the application shall be deemed as if it had not been filed.

Article (160):

Applications for protection shall be given consecutive numbers according to the date and hour of receipt. Numbering shall commence on the first of January each year.

The applicant shall be given a receipt, stamped by the Office on the application and its attachments, containing:

- The serial number of the application.
 - The applicant's name.
 - The date and hour of receipt.
-



Article (161):

Applications shall be entered in a special register at the Office called the Plant Varieties Register, which shall include:

- The serial number of the application.
- The date and hour of receipt.
- The breeder's name.
- The applicant's or agent's name and surname and correspondence address; or, where the applicant is a legal person or entity, its name and address and the correspondence address.
- The deposit number at the Genetic Resources Bank of a representative sample of the variety for preservation and maintenance, together with details of, or an official copy of, the pertinent certificate.
- The procedures taken in respect of the application.
- The number and date of the ministerial decision granting the Breeder's Right Certificate, the certificate number, and the name of the right holder.
- Transactions and procedures affecting the protected variety or the right to exploit it.
- The approved denomination of the variety, together with other names by which it is known in another country or countries.
- The genus, species, and variety group to which the variety belongs.
- A summary description of the variety.

Article (162):

The Office shall keep manual and electronic alphabetical indexes containing data relating to applications for protection. The application data and its attachments shall remain confidential until publication of the decision accepting the grant of protection.



Article (163):

The Office may, by a reasoned decision, require the applicant or his agent to make amendments to, or complete, the application. The applicant shall be notified of this decision by registered letter with acknowledgment of receipt.

If the applicant does not make the required amendments or completions within three months from the date of notification, he shall be deemed to have abandoned his application.

Article (164):

A plant variety shall be deemed **stable** if its essential characteristics remain unchanged after repeated successive propagation for two years or two cultivation cycles, whichever is less, or at the end of each propagation cycle where a specific propagation cycle exists.

Article (165):

Each new plant variety shall be given a single denomination, approved by the Office upon the breeder's proposal, and the variety shall be identified and marketed under that denomination. The denomination must:

- Consist of no more than three words that are easy to pronounce and use; it may include, in addition to words, numbers and letters, none of which may exceed four characters.
 - Differ from the denomination of any existing variety belonging to the same species as that of the plant variety concerned.
 - Not be identical to the denomination of a variety filed in any state or entity that is a party to a convention for the protection of new plant varieties to which the Arab Republic of Egypt is a party or that grants reciprocal treatment.
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Article (166):

The denomination of the plant variety must not conflict with public order or morality, cause confusion, hinder the free use or marketing of the variety after the expiry of protection, or otherwise mislead.

In all cases, the denomination may not be the common name of the genus or species of the plant to which the new variety belongs.

Article (167):

The denomination of the protected plant variety shall be used when the variety is offered for sale or when its genetic material is marketed, whether during the protection period or after its expiry.

Article (168):

The Office shall cancel the denomination of the plant variety in any of the following cases:

- If the right holder or any other person submits reasonable grounds for cancellation;
- If the right holder or any other person submits a final enforceable judgment prohibiting the use of the denomination.

The Office shall notify the right holder by registered letter with acknowledgment of receipt to choose a new denomination for the plant variety within a period not exceeding thirty days from the date of the request or from submission of the judgment.

By ministerial decision, the Office may terminate the breeder's right if the right holder fails to choose a new denomination in accordance with Articles (165) and (166) of these Regulations.



Article (169):

Where the variety meets the protection requirements, the Office shall grant the breeder a **Breeder's Right Certificate**, and the competent Minister shall issue the decision granting such protection.

The certificate shall include:

- The certificate number and the date of its entry in the Plant Varieties Register;
- The right holder's name, address, and nationality;
- The breeder's name, address, and nationality;
- The denomination of the plant variety and the name of the species and genus to which it belongs;
- The date of grant and the term of protection;
- The number and date of the ministerial decision granting protection.

Article (170):

The holder of the Breeder's Right Certificate shall maintain the protected variety and its genetic components throughout the term of protection.

He shall provide the Office, within a period not exceeding three months from the date of the grant of the certificate, with the data, documents, and materials necessary to verify that such maintenance is being carried out.



Article (171):

The competent Minister may, by decision issued upon the request of the Office or any interested party, cancel a Breeder's Right Certificate in any of the following cases:

- It is established that the protected variety did not meet the novelty requirement;
- The protected variety has lost any of the requirements of distinctness, uniformity, or stability.

The Minister of Agriculture shall, by decision, set out the rules and procedures to be followed for cancelling a Breeder's Right Certificate and for appealing a cancellation decision.

Article (172):

An application for the grant of a compulsory license to use and exploit a protected plant variety shall be submitted to the Office on the prescribed form.

Article (173):

A technical secretariat shall be formed at the Office by decision of its Head. Its functions shall be to receive applications for the issuance or obtaining of compulsory licenses, record them in a special register in order of receipt, and prepare them for submission to the Office for examination.

Article (174):

The Office shall examine applications for compulsory licenses and verify their compliance with the formal and substantive legal requirements.

The examination results shall be submitted, together with memoranda stating the Office's opinion, to the competent Minister for referral to the Ministerial Committee referred to in Article (196) of the Law.



Article (175):

A compulsory license under Article (196) of the Law may be granted in the following cases:

- Where required by the public interest;
- The breeder refrains from producing the protected variety himself;
- The breeder refrains from supplying propagating material of the protected variety.
- The refraining referred to in items (b) and (c) is established if the breeder fails to supply the protected variety or its propagating material in quantities reasonably required to meet market needs after two successive agricultural seasons from the date protection was granted;
- The breeder refuses to grant others the right to exploit the variety despite reasonable terms being offered. In assessing the reasonableness of the terms, consideration shall be given to:
 - The strategic importance of the variety;
 - The remaining term of protection;
 - The remuneration offered for a voluntary license;
- The breeder engages in anti-competitive practices.

Article (176):

A compulsory license may be granted only to a person capable of genuinely producing the protected variety and its propagating material, in accordance with the duration, conditions, and limits specified in the decision granting the license.



Article (177):

The holder of a protected plant variety in respect of which a compulsory license has been granted shall be entitled to equitable compensation for the exploitation of the variety.

Such compensation shall be determined by a specialized committee established by the Minister of Agriculture.

In determining the amount of compensation, the committee shall take into account, in particular, the following:

- The remaining term of protection.
- The volume and value of licensed production.
- The level of investment required for commercial production.
- The availability of equivalent varieties in the market.
- The damage caused by any abusive or anti-competitive practices of the holder of the variety.

The committee's assessment shall be submitted to the Ministerial Committee referred to in Article (196) of the Law for determining the final compensation in light of the report.

Article (178):

The Office shall individually notify the holder of the right in the protected plant variety of the decision granting the compulsory license and the decision determining the compensation, by registered letter with acknowledgment of receipt.

Article (179):

A register shall be established at the Ministry of Agriculture for recording Egyptian plant genetic resources, whether wild or local.



Article (180):

The breeder shall disclose the genetic source of the new plant variety for which protection is sought, as well as any traditional knowledge or local expertise relied upon in developing the new variety, using the prescribed form for such purpose.

Article (181):

The National Program for Plant Genetic Resources shall be the competent administrative authority for granting approval to use Egyptian genetic resources for the purpose of developing new derived varieties.

A Breeder's Right Certificate shall not be granted unless the applicant provides evidence of such approval by the said authority.

Article (182):

The Minister of Agriculture shall, upon a proposal by the Head of the National Program for Plant Genetic Resources, issue a decision specifying:

- The breeder's required participation in research efforts;
- The percentage of the proceeds from the use of any Egyptian genetic resource—whether wild or local—used in developing the variety; and
- The means by which such proceeds shall be utilized, in implementation of Article (200) of the Law.

In determining the foregoing, the following factors shall be particularly taken into consideration:

- The degree of technological advancement achieved by the new plant variety.
- The extent to which Egyptian traditional knowledge was used in developing the new plant variety.



- The commercial return from the exploitation of the new plant variety.

Article (183):

The Office shall issue a monthly journal titled *"The Egyptian Gazette of Protected Plant Varieties"*, in which shall be published, in particular:

- Information relating to the grant of Breeder's Right Certificates.
- Details of compulsory licenses issued for protected varieties.
- Cases of termination, cancellation, or expiration of breeders' rights over varieties.

The Office may also issue, during the first month of each year, the following bulletins:

- A bulletin summarizing the descriptions of plant varieties for which Breeder's Right Certificates were granted during the preceding year;
- A bulletin listing the names of persons granted Breeder's Right Certificates during the preceding year, arranged alphabetically;
- A bulletin listing the certificate numbers issued during the preceding year, with a statement of each certificate's subject matter, according to the technical classification adopted by the Office for categorizing new plant varieties and for recording the expiration of breeders' rights.

Article (184):

The number of plant genera subject to the provisions of protection shall not be fewer than twenty, to be determined by a decision of the Minister of Agriculture.

The Minister may, by further decisions, add additional genera so as to extend protection to all available plant genera within a period not exceeding ten years from the date of entry into force of the Law.



Article (185):

The categories of fees referred to in Article (201) of the Law shall be as specified in the schedule annexed to these Regulations.

Article (185 bis):

For the purposes of implementing the provisions of this Chapter, notifications may be made by registered letter with acknowledgment of receipt or by any electronic means having evidentiary value in accordance with the Law regulating electronic signatures.



Translation of

the Protection of
Intellectual Property

Rights Law

No. 497 of 2005

ترجمة اللائحة التنفيذية

لقانون حماية حقوق الملكية الفكرية

رقم ٤٩٧ لسنة ٢٠٠٥

30 October 2025



ANDERSEN

Prime Minister's Decree No. 497 of 2005

Concerning the Issuance of the Executive Regulations of Book Three of the Law on the Protection of Intellectual Property Rights promulgated by Law No. 82 of 2002

Preamble

Having reviewed the Constitution;

And Law No. 82 of 2002 on the Protection of Intellectual Property Rights;

And Law No. 15 of 2004 regulating Electronic Signature and establishing the Information Technology Industry Development Agency;

And the Executive Regulations of Books I, II, and IV of the Law on the Protection of Intellectual Property Rights issued by the Council of Ministers' Decree No. 1366 of 2003;

And upon the approval of the Council of Ministers;

It has been decided as follows:

Promulgation Articles

Article (1):

The provisions of the attached Executive Regulations concerning **Book III** of the Law on the Protection of Intellectual Property Rights, issued by Law No. 82 of 2002, shall be enforced. All provisions contrary to these Regulations shall be repealed.

Article (2):

This Decree shall be published in the Official Gazette and shall come into force on the day following the date of its publication.



Executive Regulations

Article (1):

For the purposes of applying the provisions of this Book, each of the following words and expressions shall have the meaning set forth opposite thereto, unless otherwise provided:

The Law: Law No. 82 of 2002 on the Protection of Intellectual Property Rights.

The Regulations: The Executive Regulations of Book III of the Law on the Protection of Intellectual Property Rights issued by Law No. 82 of 2002.

The Competent Minister: The Minister of Culture; the Minister of Information with respect to broadcasting organizations; and the Minister of Communications and Information with respect to computer programs and databases.

The Competent Ministry: The Ministry of Culture; the Ministry of Information with respect to broadcasting organizations; and the Ministry of Communications and Information with respect to computer programs and databases.

The Office: The Office for the Protection of Authors' Rights at the Ministry of Culture; the Office for the Protection of Computer Programs and Databases at the Information Technology Industry Development Agency; and the Office for the Protection of Broadcasting and Audiovisual Works at the Ministry of Information.

The Register: The register established by the competent ministry for recording legal dispositions related to literary, artistic, and scientific works governed by the Law.

Computer: The electronic device capable of storing, processing, analyzing, and retrieving data and information electronically.

Computer Program: A set of commands and instructions expressed in any language, code, or signal, in any form, which may be used directly or indirectly in a computer to perform a function or achieve a result, whether in its original form or in any other form manifested by the computer.



Database: Any compilation of data characterized by originality in arrangement or presentation, or reflecting personal effort worthy of protection, whether expressed in a language, code, or any other form, provided that it is stored and retrievable by a computer or by any other electronic means.

Article (2):

The competent ministry shall exercise the **moral rights** of authors and performers, as provided in Articles (143), (144), and (155) of the Law, in cases where the author or performer dies without heirs or legatees, and after the expiration of the statutory protection period.

The competent ministry shall take all necessary measures to exercise these rights in a manner that preserves the work or performance and safeguards the reputation of the author or performer.

Article (3):

Without prejudice to the provisions of item (19) of Article (138) of the Law, the Ministry of Culture shall exercise both the **moral and economic rights** relating to national folklore, as referred to in Article (142) of the Law.

It shall protect and promote such folklore and, for that purpose, establish the necessary registers, archives, and databases for recording and classifying expressions of folklore, particularly oral, musical, choreographic, and tangible expressions as defined in item (7) of Article (138).

The Minister of Culture shall issue a decree determining the rules and procedures for implementing the foregoing, including the registration and archiving procedures.



Article (4):

To obtain a license for **reproduction or translation** of a protected work, or for both, without the author's authorization under Article (170) of the Law, such reproduction or translation must be solely for educational purposes at all levels and types.

The applicant shall submit a request to the protection office at the competent ministry using the prescribed form or one containing equivalent data.

Article (5):

The granting of the license referred to in Article (4) shall be subject to the following conditions:

- The author must not have withdrawn all copies of the work from circulation.
 - The license shall be non-transferable.
 - The license shall not prevent the issuance of other licenses to third parties, except where the license concerns translation of the work into a specific language already published in that language.
 - The author's name and the title of the work shall appear on every licensed copy or translation.
-

Article (6):

The application for a license shall include the following particulars:

- Name, capacity, and address of the applicant or his elected domicile.
- Title of the work and name of the author or successor or their legal representative.
- Name of the publisher and place of publication.
- Number of copies requested and method of reproduction.
- Duration and territorial scope of the license within the Arab Republic of Egypt.



The application shall be accompanied by documents proving that the license is required for educational purposes at any level or type of institution—such as universities, institutes, training centers, or research entities—and evidence of the applicant’s inability to reach the author or his successor, or proof of prior negotiations that failed after a reasonable period, or evidence that the author failed to produce a sufficient number of copies at a reasonable price to meet the educational demand.

Article (7):

The competent office shall examine the application and verify that all conditions for the license are met.

The license shall be issued by a **reasoned decision** of the competent minister or his delegate, specifying its duration and territorial scope, within thirty (30) days from completion of the required documents and payment of the applicable fee as specified in the attached schedule, not exceeding **one thousand Egyptian pounds per work**.

Article (8):

The license decision shall include a **fair compensation** to be paid to the author or successor for the licensed use, as assessed by a committee of experts appointed by decree of the competent minister.

In determining the compensation, the committee shall take into account in particular:

- The remaining period of protection.
- The purpose for which the license was granted.
- The nature of the work.
- The amount offered during prior negotiations for reproduction or translation.

The license may not be exploited until the compensation has been paid in full.



Article (9):

Any person wishing to obtain a license for commercial or professional exploitation of a work, sound recording, performance, or broadcast program that has fallen into the public domain under Article (183) of the Law shall submit an application to the office using the prescribed form or equivalent.

The license shall be granted upon payment of the applicable fee specified in the attached schedules, not exceeding one thousand Egyptian pounds per license.

Article (10):

It shall be permissible for third parties, after the author has published the work, to make quotations from a computer program in accordance with the provisions of item (Third) of Article (171) of the Law, even where such quotation exceeds the extent necessary for the use of that program, provided that it remains within the scope of the authorized purpose.

Such quotation must be for non-commercial purposes or for educational or training needs, must not prejudice the legitimate interests of the program's author, and must, in all cases, include acknowledgment of the program from which the quotation is made.

Article (11):

The competent ministry shall, in implementation of Article (185) of the Law, establish a register for recording legal dispositions concerning works, performances, sound recordings, and broadcasting programs that are required by law to be deposited with it.

Article (12):

The application for registration in the register referred to in Article (11) of these Regulations shall be submitted by the concerned party to the competent office, using the prescribed form or one containing equivalent data.



Article (13):

The application for registration shall include the following particulars:

- The name, capacity, and address of the applicant or his elected domicile.
- The title of the work, its particulars, and deposit number, if any.
- The type of legal disposition and the relevant particulars concerning it and its parties.

The application shall be accompanied by the **instrument of disposition** or a certified copy thereof, together with all documents necessary for its examination.

Article (14):

The competent office shall examine the registration application and its accompanying documents and shall take the necessary measures to effect the requested registration, after payment of the prescribed fee according to the categories set forth in the schedules attached to these Regulations, provided that such fee shall not exceed one thousand Egyptian pounds for each registration.

Article (15):

A separate page shall be allocated in the register for each work, and such page shall include the following data:

- The sequential number of the registration application, the particulars of the applicant, and the date of submission.
- The title of the work and its deposit particulars, if any.
- The particulars relating to the type of legal disposition, its date, and the supporting documents establishing the rights of the parties.
- The amount of fees collected and the number of the payment receipt.
- Any other information deemed necessary by the nature of the work or the disposition.



Article (16):

Any person may, in accordance with the provisions of Article (186) of the Law, obtain from the competent ministry a certificate of deposit for a deposited work, recorded performance, sound recording, or broadcasting program, upon payment of the prescribed fee according to the categories set forth in the schedules attached to these Regulations, provided that such fee shall not exceed one thousand Egyptian pounds for each certificate.

Article (17):

All establishments engaged in the sale, rental, lending, or licensing for use of works, recorded materials, sound recordings, or broadcasting programs shall be required to pay the prescribed fee in accordance with the categories set forth in the schedules attached to these Regulations—provided that such fee shall not exceed one thousand Egyptian pounds—in order to obtain the license referred to in item (1) of Article (187) of the Law.

