

Cabinet Resolution No. (6) of 2022

Concerning the Executive Regulations of Federal Law No. (11) of 2021 Concerning the Regulation and Protection of Industrial Property Rights

The Cabinet,

- Having reviewed:
- The Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competencies of the Ministries and Powers of the Ministers, as amended; and
- Federal Law No. (11) of 2021, Concerning the Regulation and Protection of Industrial Property Rights; and
- Based on the proposal of the Minister of Economy and the approval of the Cabinet,

Resolved the following:

Article (1)

Definitions

The definitions set out in Federal Law No. (11) of 2021, referred to above, shall apply hereto. In addition, the following words shall have the meanings assigned to each, unless the context otherwise requires:

Law : Federal Law No. (11) of 2021 Concerning the Regulation and Protection of Industrial Property Rights.

Article (2)

Calculation of Periods

The periods stipulated herein shall be calculated as follows:

1. If a period is stated in days, the first day shall be excluded from the calculation thereof.
2. If the last day of a period related to Industrial Property procedures falls on a public holiday, such period shall expire on the first working day following the holiday.

3. If the last day of a period of protection for an Industrial Property right falls on a public holiday, such period shall expire on that day.

Article (3)

Extension of the Periods Set by the Ministry

1. If the Law or this Resolution stipulates a minimum period of time for an Industrial Property procedure, the Minister, or whoever he delegates, may, *sua sponte* or upon a written request from the applicant, set such period, provided that the Ministry sets an appropriate period in a manner that does not unduly prejudice the interest of any other party to the procedure.
2. When the Chairman of the Committee sets a date for the commencement of an Industrial Property procedure, he may, *sua sponte* or upon a written request, change such date in a manner that does not unduly prejudice the interest of any relevant party.

Article (4)

Cessation, Suspension and Resumption of Procedures

1. Any Industrial Property procedure that is under consideration in the Ministry shall be suspended for a period of up to six (6) months if any of the following cases apply:
 - a. If a natural person who is a party dies.
 - b. If a legal person who is a party ceases to exist.
 - c. If any of the parties loses the legal capacity to sue.
2. When the procedure that is under consideration in the Ministry is suspended pursuant to Clause (1) of this Article, the natural or legal person provided for in the following paragraphs shall submit a written request to resume the procedure:
 - a. In the event that Paragraph (a) of Clause (1) of this Article applies, the descendant of the deceased, the custodian of the inheritance, or any other person legally authorized to pursue the procedure.
 - b. In the event that Paragraph (b) of Clause (1) of this Article applies, the legal person resulting from the merger.

- c. In the event that Paragraph (c) of Clause (1) of this Article applies, the party that has regained its capacity to bring a legal action or the person who has become the legal representative of the party.
3. If the procedure suspended pursuant to Item (2) of this Article is not resumed within six (6) months from the first date of the suspension, the procedure shall be resumed on the next day after the expiry of the six (6) month period.
4. If a request is made to resume a suspended procedure or if the procedure is resumed, the Ministry shall notify all the relevant parties of the procedure.
5. If the Ministry sees that one of the parties is unable to pursue the procedure due to obstacles existing for an indefinite period, the Ministry may take a decision to suspend the procedure, and, in this case, it may resume the suspended procedure when it deems so appropriate.
6. If an Industrial Property procedure is ceased or suspended, the entire period shall start again when the procedure is resumed.

Article (5)

Delivery of Documents

1. Any document sent by the Ministry shall be received by the relevant parties of the procedure.
2. If the relevant party of the procedure has a legal representative in the State, the Ministry may deliver the document to the party itself or the legal representative thereof, as the case may be.
3. If the Ministry delivers a document through an electronic means of communication, the document shall be deemed to have been delivered to the relevant party of the procedure upon receipt of the document by the electronic communication system.
4. The electronic communication system includes a system through which the relevant party notifies the Ministry or the official electronic service account of the Ministry.
5. In the event that the Ministry does not have any means available to notify the relevant party of the procedure, it may announce the information to be notified in the Industrial Property Bulletin, and the information shall be deemed to have been delivered to the party after thirty (30) days from the announcement.

Article (6)

Appointment of Representatives

1. A party may, at any time, appoint a Registration Agent as its legal representative for the Industrial Property procedures.
2. If a party appoints two or more representatives, any of them may represent the party independently.

Article (7)

Ratification of Acts of Persons Lacking Legal Capacity

When a person lacking legal capacity submits an Industrial Property procedure, the person who has legal capacity may ratify such procedure at a later time and the procedure shall have a retroactive effect.

Article (8)

Representation of Two or More Persons

1. When two or more persons jointly submit an Industrial Property procedure, each of them shall be deemed a representative of all the persons.
2. None of the acts stipulated in the following paragraphs may be performed except by all the persons who have submitted the Industrial Property procedure or by the person who has been entrusted by them to do the following:
 - a. Assignment or waiver of an Industrial Property right and any application related thereto.
 - b. Abandonment of any application.

Article (9)

Microorganism Depository Authority

1. The Ministry may register any entity in the State as a depository authority for microorganisms under the "Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure" if it fulfills all of the following requirements:

- a. The entity must have the necessary human resources and equipment for the safe conservation and preservation of microorganisms.
 - b. The entity must develop plans to perform services related to storage and furnishing of samples of deposited microorganisms.
 - c. The entity must have a security system in place to maintain confidential information about microorganisms.
2. Any entity wishing to be registered as a depository authority for microorganisms shall submit an application to the Ministry and shall be entered in the register.

Article (10)

Deposit of Microorganisms

1. The Ministry may require the applicant for a Patent to deposit the microorganisms with any of the following bodies before filing a Patent application for the microorganisms, unless such microorganisms are easily accessible to an ordinary person skilled in the relevant art:
 - a. The Microorganism Depository Authority registered with the Ministry in accordance with Article (9) hereof.
 - b. An international depository authority under the "Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure".
2. The applicant shall state the deposit information in the application description and provide the document evidencing the deposit of the microorganisms.
3. The applicant shall notify the Ministry if the deposit number is changed and provide it with a copy of the new deposit certificate.

Article (11)

Furnishing of Samples of Microorganisms

1. A person who wishes to obtain a sample of a deposited microorganism for the purposes of testing or scientific research may submit an application to the Ministry for a certificate for the furnishing of samples of the deposited microorganism after the publication of the Patent application relating to such microorganism, and the Ministry shall examine and decide on the application.

2. A person authorized by the depositor of the microorganism may obtain a sample of the microorganism.
3. A person who receives a sample of a microorganism under Items (1) and (2) of this Article may not permit another person to use same.

Article (12)

Applications Related to Nucleotide and Amino Acid Sequences

If nucleotide and amino acid sequences are disclosed in a Patent application, they shall be represented in a sequence listing, and the applicant shall provide the sequence listing in a searchable electronic format complying with the standard issued by the World Intellectual Property Organization (WIPO).

Article (13)

Identification of Inventions Related to Security and Military Industries

1. The Ministry shall identify the Patent applications related to security and military industries which are filed by the applicant residing in the State according to the classification chosen by the Ministry.
2. The Ministry shall mainly base its classification on the Strasbourg Agreement Concerning the International Patent Classification or other classifications that the Ministry deems appropriate.
3. Upon receiving an application related to security and military industries, the Ministry shall submit a copy of the application and its attachments to the concerned department of the Ministry of Defense.

Article (14)

Review by the Ministry of Defense

1. The Ministry of Defense shall review the application and its attachments received from the Ministry under Clause (3) of Article (13) hereof within the period specified by the Ministry which shall not be less than ninety (90) days.

2. In the event that the Ministry does not receive the results of the application review made by the Ministry of Defense as stipulated in Clause (1) of this Article within the period specified by the Ministry, this shall be considered as unwillingness of the Ministry of Defense to maintain the confidentiality of the Invention or to prevent the inventor from filing an application regarding it to a foreign state based on Article (15) hereof.

Article (15)

Prohibition of Applying to a Foreign State and Maintaining Confidentiality

1. The Ministry of Defense may prevent the owner of an Invention related to security and military industries from filing an application to a foreign state to obtain any Industrial Property right.
2. The Ministry of Defense may decide to keep the Invention confidential for such period as it deems necessary.
3. The Invention owner may claim fair compensation from the Ministry of Defense for any losses arising from compliance with the provisions of Items (1) and (2) of this Article.

Article (16)

Compulsory Transfer of the Invention to the Rightful Owner

1. The owner of the right to the Invention who requests the transfer of a Patent application, Patent or Utility Model Certificate thereto in accordance with Article (9) of the Law shall submit the following documents to the Ministry:
 - a. Written application to transfer the application, Patent or Utility Model Certificate thereto.
 - b. Supporting documents proving that he is the owner of the right to the Invention.
2. The Ministry shall notify the other party of the application, provide him with a copy of the supporting documents submitted by the owner of the right to the Invention, and invite him to present his submissions and supporting documents within the period specified by the Ministry which shall not be less than thirty (30) days from the notification date. After the expiry of such period, the Ministry shall present all documents and submissions submitted by the two parties.

3. The Committee shall determine and issue a decision on the application. Any party concerned with the decision may appeal the decision before the court within thirty (30) days from the date of receiving the Committee's decision.

Article (17)

Undisclosed Inventions

1. In the event that an Invention is disclosed to the public by the inventor or others who are aware of the Invention, with or without the permission of the inventor, the applicant may request the Ministry to exclude such disclosed Invention from prior art. The applicant shall submit a copy of such disclosed Invention with evidence that such Invention has been disclosed within twelve (12) months prior to the filing date.
2. The applicant may not make the request pursuant to Clause (1) of this Article if the Invention has been disclosed in the Industrial Property Bulletin or to any foreign or regional Patent authority, or the WIPO.

Article (18)

Principle of Priority of Filing

1. If more than one application is filed for the same Invention, only the applicant who has filed his application first shall be entitled to obtain a Patent or Utility Model Certificate, as the case may be.
2. If more than one application is filed for the same Invention on the same date and the Ministry is unable to ascertain the exact chronological order of the applications, the Ministry shall do the following:
 - a. The applicant agreed on by all applicants for a Patent or Utility Model Certificate shall obtain a Patent or Utility Model Certificate, as the case may be.
 - b. In the event that the applicants for a Patent or Utility Model Certificate do not reach an agreement, none of them may obtain a Patent or Utility Model Certificate, as the case may be. In this case, the Ministry shall ask the applicants for a Patent or Utility Model Certificate to submit a signed written agreement within ninety (90) days from the date of the request.

If the signed written agreement is not received, the applicants for the Patent or Utility Model Certificate shall be deemed to have failed to reach an agreement.

Article (19)

Application for a Patent or Utility Model Certificate and its Attachments

1. The application for a Patent or Utility Model Certificate shall include the following information:
 - a. Name of the Invention.
 - b. Name and address of the applicant.
 - c. Name and address of the inventor.
 - d. The legal representative and his address, if any.
 - e. An abstract of the Invention which shall not exceed five hundred (500) words, and shall only be used for technical information as part of the bibliographic information of the application.
 - f. International application number and international filing date in case the application is in the national filing phase in the State according to the Patent Cooperation Treaty (PCT).
 - g. Number of the original application and its filing date if the application is a divisional or converted application of an earlier application filed in the State.
 - h. Number and filing date of the earlier application and the office that has received same in the event that the applicant claims priority on the basis of the Paris Convention for the Protection of Industrial Property (hereinafter referred to as the “**Paris Convention**”).
2. The applicant shall provide a description of the Invention that gives enough detail to identify the subject matter of the Invention on the filing date. The description may include the following information:
 - a. Description of the technical field to which the Invention relates.
 - b. The prior art which, as far as is known to the applicant, can be regarded as useful to understand the Invention.
 - c. A description of the Invention enabling a person skilled in the relevant art to clearly and fully understand the Invention.

- d. The best method of carrying out the invention which the applicant considers useful. This can be demonstrated by the presentation or examples with reference to drawings, if any.
 - e. Details of the industrial application of the Invention, including its manufacture, use, and results achieved by the Invention.
 - f. Brief description of drawings, if any.
3. The applicant may submit drawings and illustration, but may not submit or modify the drawings so as to introduce a new feature that has not been introduced on the filing date. The Ministry may choose an illustration if necessary.
 4. The applicant shall specify the claim(s) which are the subject of protection, and the claims shall be clear, concise and entirely based on the description.
 5. The applicant shall submit the following documents, as the case may be:
 - a. A copy of the commercial register extract or an official extract of the partnership agreement or deed of establishment, as the case may be, if the applicant is not a natural person.
 - b. The document that proves the applicant's entitlement to the Invention if he is not the inventor.
 - c. A power of attorney, if the application is filed by someone other than the applicant.
 - d. A copy of the Emirates ID card, if the applicant or his representative is residing in the State.
 6. The documents stipulated in Paragraphs (a), (b) and (c) of Item (5) of this Article shall be approved in accordance with the instructions of the Ministry.
 7. The Ministry shall not request any approval for the document stipulated in Paragraph (b) of Item (5) of this Article if it is recognized by the WIPO during the international application process under the PCT.
 8. The documents stipulated in Items (2), (3) and (4) of this Article shall be submitted in both Arabic and English.
 9. If the application is in the national filing phase in the State for an international application under the PCT, the documents submitted in accordance with Items (2), (3) and (4) of this Article shall be within the scope of the description, claims and drawings contained in the international application filed on the international filing date.

10. An application for a Utility Model Certificate may only be submitted for a device with a tangible form or structure.

Article (20)

Verification of Applications

1. The applicant shall, at least, submit a description of the Invention, in English or Arabic, in accordance with Item (2) of Article (19) hereof, on the filing date. In case such requirement is not met, the Ministry shall reject the application without allowing the applicant to submit the missing documents or modify the application.
2. The applicant may make a declaration to the Ministry that he has submitted all the necessary documents in accordance with Article (19) hereof, and the Ministry may, in this case, expedite the examination of the application.

Article (21)

Submission of Missing Documents and Legal Examination

1. The applicant shall submit the documents stipulated in Items (4) and (5) of Article (19) hereof or any other necessary documents requested by the Ministry within the period specified by the Ministry which shall not be less than ninety (90) days from the date of the request; otherwise, the application shall be deemed null and void.
2. The applicant shall submit a translation of the documents stipulated in Items (2), (3) and (4) of Article (19) hereof, if they are submitted in Arabic or English, within the period specified by the Ministry which shall not be less than ninety (90) days from the date of the request; otherwise, the application shall be deemed null and void.
3. The Ministry may ask the applicant to correct or amend the application in the event of any defect, and the applicant shall correct or amend the application within the period specified by the Ministry which shall not be less than ninety (90) days from the date of the request; otherwise, the application shall be deemed null and void.
4. Notwithstanding the provisions of Items (1), (2) and (3) of this Article, the applicant may re-activate the application after paying the re-activation fees and additional late fees within nine (9) months from the date the application is deemed null and void.

5. The Ministry may reject the application without giving an opportunity to correct or amend same in the event that there is a serious defect in the application that cannot be remedied through the amendment permitted in Article (26) hereof.

Article (22)

Formulation of Claims

The following shall be considered in the formulation of claims:

- a. The claim shall be related to a product or method.
- b. The number of claims shall be reasonable in relation to the nature of the Invention and shall not exceed fifty (50) for a Patent and ten (10) for a Utility Model Certificate.
- c. Claims shall be stated in the form of independent claims, and it is permissible to add dependent claims to independent claims in order to reduce the number of independent claims or make the independent claims more specific. It is also permissible to add, if necessary, other dependent claims to reduce or make those dependent claims more specific.
- d. A claim that refers to another claim shall mention the number of the claim referred to, and in this case, the claim referred to shall be stated before the claim referring thereto.
- e. A claim that refers to more than one other claim shall mention alternatively the claims it refers to.
- f. Each claim shall be entered on a new line, and serial numbers shall be presented in the order of entries.
- g. If a claim refers to more than one other claim, the said claim cannot refer to two or more other claims, and the same rule applies if the referred claim refers to one other claim which in turn refers to two or more other claims.

Article (23)

Format of Drawings

1. The following shall be considered in the drawings:
 - a. The drawings shall be clear enough to best reflect the technical feature and can be enhanced with colors if possible.

- b. The letters and numbers used to refer to parts of the drawing shall be clearly written, and the same letters and numbers shall be used in all drawings. If these letters and numbers are written outside the drawing, they shall be connected to the parts they refer to by means of thin lines.
 - c. In the event that more than one drawing is placed on the same paper, sufficient space shall be kept between each drawing and another, and each drawing shall be numbered with a serial number.
2. A Patent or Utility Model Certificate may not be revoked through post-grant re-examination or invalidated due to non-compliance with the requirements for drawings stipulated in Clause (1) of this Article.

Article (24)

Priority Claim

1. The applicant may request, add, or amend a priority claim before publishing the application or registering the Patent, or within sixteen (16) months from the dates specified in Paragraphs (a) through (D) of Item (2) of Article (32) hereof, whichever is earlier. After the expiry of such period, the applicant can only cancel all or part of the priority claims.
2. Notwithstanding the provisions of Clause (1) of this Article, where the application is a national filing of an international application under the PCT, the applicant cannot claim priority other than that accepted by the International Bureau under the PCT.
3. The Ministry may ask the applicant to submit a copy of the earlier application within the period it specifies which shall not be less than sixty (60) days.
4. The Ministry may ask the applicant to submit a translation of the earlier application within the period it specifies which shall not be less than sixty (60) days, if the earlier application is not written in English or Arabic, and the translation is necessary for substantive examination.
5. A priority claim shall be considered void if the applicant fails to fulfill the requirements stipulated in the previous items of this Article.

Article (25)

Register of Patents and Utility Model Certificates

The register of Patents and Utility Model Certificates shall include the following:

- a. The information stipulated in Clause (1) of Article (19) hereof.
- b. The information related to the examination, acceptance, or rejection of the application.
- c. The information related to Patent registration.
- d. The information related to Patent withdrawal and surrender, if any.
- e. Payment of the annual installment and the legal status in the Ministry.
- f. The information related to post-grant re-examination, grievance, appeal, and invalidity, if any.
- g. Rights related to the application or the registered Patent, including the license and undertaking, if any.
- h. Any other information that the Ministry deems appropriate.

Article (26)

Scope of Correction and Amendment of Applications

1. The applicant may correct any clerical or arithmetic errors in the application and its attachments.
2. The amendment may not include any new feature outside the scope of the disclosure presented to the Ministry on the filing date.
3. In the event that the application is a national filing in the State for an international application under the PCT, the applicant may amend the application and its attachments within the scope of the description, claims and drawings of the international application submitted on the date of the international filing.
4. In the event that the application is a divisional or converted application of an earlier application, the applicant may amend the application and its attachments within the scope of the description, claims and drawings of the original application submitted on the date of the original filing.
5. In the event that the applicant amends the substantive aspects of the application, the applicant shall provide an explanation of the amendment that refers to the amended

elements and make clear that the amendment does not include any new matters outside the scope provided for in Items (2), (3) and (4) of this Article. If no explanation is provided for the amendment or if the Ministry sees that the explanation is insufficient, the Ministry may ask the applicant to provide an explanation for the amendment within a period of not less than sixty (60) days.

6. In the event that the amendment substantially includes a new feature beyond the scope stipulated in Items (2), (3) and (4) of this Article, the Ministry shall reject the amendment, and the amendment shall be considered null and void.
7. In the event that the applicant fails to provide an explanation for the amendment in accordance with Item (5) of this Article, and such failure causes a problem in conducting the substantive examination, the Ministry may reject the amendment, and the amendment shall be considered null and void.
8. Corrections or amendments shall not be acknowledged until the relevant fees have been paid.

Article (27)

Issuance of a Certified Copy of the Priority Claim Application

A certified copy of the application with the filing date may only be issued to the applicant or a person who has the right to file a Patent application outside the State.

Article (28)

Interrelatedness of Inventions

1. For filing an application relating to a group of interrelated Inventions in accordance with the provisions of Article (15) of the Law, the following conditions shall be met:
 - a. The Inventions shall be technically related to each other.
 - b. The Inventions shall have the same or equivalent technical features and shall be considered as a whole in relation to the state of prior art.
2. The Ministry may ask the applicant to select one group of Inventions at any time before granting a Patent. In the event that the applicant does not select a group of Inventions or if the Ministry considers that a group of Inventions is significant compared to other groups, the Ministry may select a specific group of Inventions and may, *sua sponte*, modify the claims.

Article (29)

Division and Conversion of Applications

1. An applicant for a Patent or Utility Model Certificate may, while the original application is under consideration in the Ministry, divide the application into two or more applications within the scope of the original application in accordance with Items (2) and (3) of Article (26) hereof.
2. An applicant for a Utility Model Certificate may, while the application is under consideration in the Ministry, convert the application into a Patent application and vice versa, in accordance with Clause (3) of Article (6) of the Law, within the scope of the original application as stipulated in Items (2), (3) and (4) of Article (26) hereof. The original application shall be considered withdrawn at the time of conversion.
3. A division or conversion of the original application shall be deemed to have been made at the time the original application has been made.
4. The applicant for the division or conversion of the original application shall determine the priority claim in accordance with Paragraph (H) of Clause (1) of Article (19) hereof. In the event that such requirement is not fulfilled, the applicant shall not enjoy the right to claim priority as provided for in the original application.
5. The person claiming priority in the division or conversion of the original application may mention the documents submitted in the original application.

Article (30)

Withdrawal of Applications

1. The applicant or his legal representative may submit a written request for the withdrawal of his application at any time while the application is under consideration by the Ministry.
2. In the case of joint ownership of the application, the application shall be withdrawn by agreement between the owners, and a written agreement shall be submitted to the Ministry for withdrawal of the application.

Article (31)

Voluntary Transfer of Applications and Patents to Third Parties

1. A Patent applicant or Patent owner may transfer his application or Patent to a third party by submitting a written application to the Ministry.
2. In the case of joint ownership of the application or Patent, the person who wishes to transfer his share of the Patent in whole or in part to third parties shall provide evidence that such transfer is not detrimental to the other owners.
3. The Ministry may refrain from registering the transfer in the Register if it sees that it would abuse an Industrial Property right or harm commercial competition, or other issues related to Industrial Property rights.
4. In the event that the Ministry refrains from registering the transfer for the reasons set forth in Clause (3) of this Article, it shall give the applicant or the Patent owner the opportunity to present his submissions and defence to the Ministry within the period specified by the Ministry which shall not be less than ninety (90) days from the date of inviting him to present his submissions.

Article (32)

Publication of Patent Applications

1. The Ministry may publish the Patent application and related information in whole or in part to disclose the application to the public after the lapse of eighteen (18) months or at the request of the applicant, even before the expiry of such period.
2. The eighteen (18) months period stipulated in Clause (1) of this Article shall be calculated starting from the date specified in any of the following items, as the case may be:
 - a. The date of submitting the application to the Ministry.
 - b. The date of filing the original application if the application is a divisional or converted application of the original application.
 - c. The date of the international application if the application is a national filing in the State for an international application under the PCT.
 - d. The earliest acceptable priority date for the application if the application is accompanied by a priority claim under the Paris Convention.

3. Notwithstanding the provisions of Clause (1) of this Article, the Ministry may not publish or disclose the application in accordance with Item (2) of Article (15) hereof.
4. After publication, the applicant may send a warning to any person who uses his Invention for commercial purposes, through a written notice stating that he has filed a Patent application.
5. A court may order a person who has received a written notice in accordance with Clause (3) of this Article to pay compensation equivalent to the amount normally payable under a contractual license to the Patent owner for the period in question from the date of the written notice to the date of the Patent registration. The said compensation may only be claimed after registration of the Patent, provided that the competent court determines that the use of the Invention has infringed the registered Patent.
6. The claim for compensation under Clause (4) of this Article shall not affect the exercise of the right of the registered Patent.

Article (33)

Invitation for Substantive Examination

1. The Ministry shall invite the applicant to pay the examination fee after completing the legal examination of the application.
2. The Ministry may invite the applicant to pay the re-examination fee if the application has not been accepted in the previous examination or re-examination.
3. In the event that the Ministry discovers minor errors in the description, claims or drawings and considers the claimed Inventions to be new, innovative and industrially applicable, the Ministry may invite the applicant to pay a reduced re-examination fee. The applicant may only amend the application for the errors indicated by the Ministry; otherwise, any other amendment shall be deemed null and void.
4. The applicant shall pay the examination or re-examination fee within ninety (90) days of being invited to pay the fee; otherwise, the application shall be deemed null and void.
5. As an exception to Clause (4) of this Article, the applicant may re-activate the application by paying the re-activation fee and additional late fees within nine (9) months from the date the application is deemed null and void.

Article (34)

Submission of the Examination Result by other Patent Authorities

The Ministry may ask the applicant to submit the results of the examination conducted in any of the foreign or regional Patent authorities, if necessary. The Ministry may suspend the examination until the applicant submits the required document.

Article (35)

General Examination

1. Any person may submit information and opinions about the inadmissibility of an application by the Ministry, before the Ministry decides to accept the application.
2. The Ministry shall review the information and opinions received in accordance with Clause (1) of this Article. The Ministry shall announce the outcome of such review in the examination result, in the event that the Ministry finds that the information and opinions provided are useful for examination.
3. The Ministry may seek the assistance of an expert in the relevant technical field if the Ministry deems this necessary for completing the examination. In the event that the application has not been published at the time of the consultation, the expert shall undertake to maintain the confidentiality of the application until the disclosure of the application to the public or the expiry of the period stipulated in Clause (1) of Article (32) hereof.

Article (36)

Assignment for Prior Art Search

The Ministry may assign a foreign Patent authority, or a local or foreign institute specialized in prior art search in order to provide the following:

- a. A search for the state of prior art and a written opinion on patentability based on the search.
- b. A Patent classification code.
- c. Other services that the Ministry deems necessary for the examination of applications.

Article (37)

Amendment Request

1. The Ministry may request the applicant to correct any formal defects, complete payment of fees for underpayments, or amend claims or drawings as stipulated in Paragraphs (a) and (b) of Article (22) and Article (23) hereof at any time before a decision is made to accept the application.
2. The applicant shall correct or amend the application at the request of the Ministry within ninety (90) days; otherwise, the application shall be deemed null and void.
3. If the Ministry finds that the request for correction or amendment has not been met, it shall request the applicant again to correct or amend the application, and if the applicant does not do what is required of him within ninety (90) days from the date of re-request, his application shall be deemed null and void.
4. As an exception to Items (2) and (3) of this Article, the applicant may re-activate the application by paying the re-activation fee and additional late fees within nine (9) months from the date the application is deemed null and void.

Article (38)

Rapid Examination

1. The Ministry may, *sua sponte* or at the request of the applicant, expedite the examination of the application.
2. If the applicant wishes to expedite the examination of his application, he shall submit a written request to the Ministry and pay the relevant fees.

Article (39)

Substantive Examination

1. The Ministry shall examine the application for a Patent or Utility Model Certificate and its attachments to verify the following:
 - a. The application has been filed by a natural or legal person enjoying the nationality of the State, or by a foreign national who has the right to file an application in accordance with

the provisions of any international agreement or convention to which the State is a party, or who holds the nationality of a state that applies the principle of reciprocity with the State in accordance with Article (3) of the Law.

- b. The application has been filed by the owner of the Invention right.
- c. The application has been jointly filed by all the joint owners if the Invention right is jointly owned.
- d. The description, claims and drawings are within the scope of the disclosure made on the date of filing the application or the date of the international filing in accordance with Items (2) and (3) of Article (26) hereof.
- e. The description, claims and drawings are within the scope of the original application stipulated in Clause (4) of Article (26) hereof if the application is a divisional or converted application of the original application.
- f. The documents referred to in Items (2), (3) and (4) of Article (19) hereof and their translations are substantially identical.
- g. The Invention does not involve any impermissibility as defined in Clause (1) of Article (7) of the Law.
- h. The Invention is new, innovative, and industrially applicable.
- i. No application has been submitted before to the Ministry for the same Invention, nor the applicants have submitted a written agreement in accordance with Items (1) and (2) of Article (18) hereof.
- j. The claims have been formulated in a clear and concise manner, and the claimed Inventions are supported by the description so that a person skilled in the art can easily understand the claimed Invention in accordance with Items (5), (6) and (7) of Article (11) of the Law.
- k. The claimed Inventions are interrelated pursuant to Article (15) of the Law and Article (28) hereof.
- l. The claims and application drawings meet the conditions stipulated in Articles (22) and (23) hereof.
- m. As for an application for a device Utility Model Certificate, that claims are in accordance with Item (10) of Article (19) hereof.

2. The Ministry shall inform the applicant of the reasons for not accepting the application in case the applicant does not meet the conditions stipulated in the previous paragraph. The Ministry may invite the applicant for re-examination to present his argument with the necessary amendment, if any.
3. The Ministry may reject the application without inviting the applicant for re-examination if it sees that the applicant has been given sufficient opportunity for re-examination at least twice, and the applicant has not addressed the reasons for rejection.

Article (40)

***Sua Sponte* Amendments**

1. The Ministry may, if it finds a clear clerical error in the description, claims, and drawings related to the application, correct such clerical error *sua sponte* when it decides to accept the application.
2. When the Ministry makes an amendment *sua sponte* in accordance with the previous paragraph, it shall notify the applicant of the amendment it has made.
3. If the applicant does not accept all or some of the amendments made by the Ministry *sua sponte*, the applicant may reject such amendments by submitting a written notice to the Ministry before paying the registration fee.
4. In the event that the applicant rejects the amendment made by the Ministry *sua sponte*, such amendment shall be deemed null and void, and the Ministry shall cancel its decision to accept the application and re-examine the application without the amendment it has made *sua sponte*. In this case, the Ministry may not collect the re-examination fee for re-consideration.

Article (41)

Registration Decision and Publication

1. The Ministry shall accept the application if it finds that the requirements stipulated in Clause (1) of Article (39) hereof have been fulfilled and shall invite the applicant to pay the registration fee within sixty (60) days from the date of being notified to pay the fee. The Ministry shall publish the registration in the Industrial Property Bulletin and may also publish a copy of the description, claims, and drawings, as the case may be.

2. The applicant shall pay the unpaid annual fee before or on the date of payment of the registration fee.
3. If the applicant fails to pay the registration fee in time, the application shall be deemed null and void.
4. As an exception to Clause (3) of this Article, the applicant may re-activate the application by paying the re-activation fee and additional late fees within nine (9) months from the date the application is deemed null and void.

Article (42)

Post-Grant Re-Examination

1. Any person may submit a request to the Ministry for post-grant re-examination to request deregistration in whole or in part if a registered Patent or Utility Model Certificate does not meet any of the requirements stipulated in Paragraphs (a) through (j) of Clause (1) of Article (39) hereof within ninety (90) days from the publication of the registration.
2. The relevant party who has a substantial interest may request a post-grant re-examination in accordance with Clause (1) of this Article at any time after ninety (90) days from the date of publication of the registration. The party requesting a post-grant re-examination shall prove that he has a substantial interest in the registered Patent or Utility Model Certificate. In the event that such requirement is not fulfilled, the Ministry shall reject the application without post-grant re-examination.
3. A person requesting a post-grant re-examination under Items (1) and (2) of this Article shall provide the reason for deregistration in whole or in part, along with supporting evidence, and pay the relevant fees.
4. The Ministry shall record the request for post-grant re-examination and the decision made thereon in the Register and notify the relevant authorities of the progress of the post-grant re-examination with copies of the relevant documents.
5. Post-grant re-examination shall be carried out by a group of at least three examiners with sufficient experience to ascertain the validity of the registration.

6. As an exception to Clause (1) of Article (44) hereof, the issuance of the registration certificate shall be suspended until the group of examiners decides, after completing the post-grant re-examination, that the registration is valid.
7. If the group of examiners cancels the registration, the registration shall be deemed null and void.
8. Any party related to the post-grant re-examination may submit a petition to the Committee requesting the annulment of the decision of the group of examiners within sixty (60) days from the delivery of the decision to the relevant parties.

Article (43)

Post-Grant Amendment

1. The owner of a Patent or Utility Model Certificate may, after paying the due fees, correct any clerical or arithmetic errors in the description, claims and drawings at any time after registration. The correction shall not involve a change in the description, claims or drawings.
2. The owner of a Patent or Utility Model Certificate may, after paying the due fees, amend only the claims after registration by canceling one or more claims or reducing the scope of the claims as a whole, and the amendment shall not change or expand the scope of the claims as a whole.
3. A group of examiners shall review the correction and amendment to ascertain that the amendment fulfills the requirements stipulated in the previous items of this Article. If the group of examiners refuses the correction or amendment, the correction or amendment shall be deemed null and void, and the Ministry shall record the decision of the group of examiners in the Register.
4. If the group of examiners approves the amendment, the Ministry may publish the amended claims in the Industrial Property Bulletin.

Article (44)

Registration Certificate

1. The Ministry shall issue a registration certificate for the Patent or Utility Model Certificate after ninety (90) days from the publication of the registration, which shall contain the following information:
 - a. Application number and filing date.
 - b. Number and date of the ministerial decision issued to grant Patent registration.
 - c. Patent registration number.
 - d. Name and address of the owner.
 - e. Name of the inventor unless he declares in writing that he does not wish to reveal his name.
 - f. Title of the Invention.
 - g. Number of the original application and the original filing date if the application is a divisional or converted application of the original application.
 - h. International application number and international application date if the application is a national filing in the State under the PCT.
2. The Patent certificate shall be signed by the Minister or whoever he delegates.
3. In the event of any conflict between the Patent certificate and the Register, the Ministry shall correct the certificate and re-issue same upon request or *sua sponte*.

Article (45)

Annual Fee

1. The applicant shall pay the annual fee at the beginning of each year starting from the year following the date of filing the application. The applicant may pay the annual fee in advance for the whole or part of the protection period in accordance with the instructions of the Ministry.
2. In the event that the application is a national filing in the State for an international application under the PCT, the applicant shall pay the annual fee as of the date of the international filing.

3. In the event that the application is a divisional or converted application of the original application, the applicant shall pay the annual fee as of the date of filing the original application.
4. In the event that the applicant fails to pay the annual fee on the specified date, the applicant may pay the annual fee within three (3) months after the specified date without any late fees. After the expiry of the three (3) month period, the applicant may pay the unpaid annual fee with late fees until the date of application registration.
5. The annual fee shall be paid for the registered Patent or Utility Model Certificate. If the annual fee is not paid within the specified period after registration, the owner of the registered Patent or Utility Model Certificate may pay the annual fee within an additional period of three (3) months without late fees. Another grace period of nine (9) months shall be allowed for payment of the annual fee with late fees.
6. If the registered owner of a Patent or Utility Model Certificate fails to pay the annual fee in accordance with Item (5) of this Article, the registration of the registered Patent or Utility Model Certificate shall lapse on the next day following the granted grace period of nine (9) months. The registered Patent or Utility Model Certificate may not be re-registered upon lapse of the registration.
7. The Ministry shall publish the lapse of the Patent registration or the registered Utility Model Certificate in the Industrial Property Bulletin, the Industrial Property Digital Library or the Ministry's website. Any delay in, or failure of, publication shall not affect the lapse of the registration of the Patent or Utility Model Certificate.

Article (46)

Scope of Protection

The scope of protection for a registered Patent shall be determined according to the claims.

Article (47)

Transfer of Rights

1. The holder of the right of transfer under Article (34) of the Law shall submit the written agreements concluded with all concerned parties recorded in the Register. If such requirement is not fulfilled, the Ministry shall reject the application.
2. If the transfer of the right in accordance with the preceding paragraph is partial, the written application shall indicate which claims are to be transferred; otherwise, it shall be deemed a full transfer.
3. The transfer shall enter into force on the date of filing the application after the approval of the Ministry.
4. The Ministry shall record the transfer in the Register.

Article (48)

Compulsory Licenses Issued by the Court

1. The court shall ascertain that the applicant for a Compulsory License meets the requirements stipulated in Article (25) or Article (31) of the Law through court litigation procedures, taking into account the relevant laws and regulations.
2. The court may hold hearings by inviting the concerned parties and the needed experts recommended by the parties or appointed by the court *sua sponte* before the issuance of the judgment.

Article (49)

License Registration and Publication

1. The Compulsory License shall be recorded in accordance with Articles (29), (30) and (31) of the Law in the Register and shall include the following information:
 - a. Names and addresses of the licensor and licensee.
 - b. Scope and term of the license.
 - c. Terms and conditions of the license.
 - d. Other relevant information, if any.

2. The Ministry shall publish the information stipulated in Clause (1) of this Article of the Compulsory License in the Industrial Property Bulletin, the Industrial Property Digital Library, or the Ministry's website.
3. The licensor or the licensee under a contractual license may request the Ministry to record the license contract in the Register. The licensor or licensee shall submit a copy of the license and the written agreement to register the contractual license signed on behalf of the licensor and licensee.
4. The licensor or the licensee under a contractual license may request the Ministry to issue a license certificate that states the date of registration, the name of the licensor and the name of the licensee with a copy of the license contract stamped by the Ministry.

Article (50)

Grievance Before the Committee

1. Any interested party may submit a petition to the Committee to cancel the Ministry's decision issued in implementation of the Law and this Resolution within sixty (60) days.
2. Any concerned party may appeal the Committee's decision before the court within thirty (30) days from the date of receiving the Committee's decision.

Article (51)

Mandatory Post-Grant Re-Examination Before Filing a Grievance to the Committee

1. As an exception to Clause (1) of Article (50) hereof, any person who objects to the registration of an Industrial Property right shall request a post-grant re-examination from the Ministry in accordance with Clause (1) of Article (42) hereof before filing a grievance to the Committee.
2. With regard to the registration of an Industrial Property right, the party concerned with the post-grant re-examination may file a grievance to the Committee only against the result of the post-grant re-examination submitted by the group of examiners.

Article (52)

Cancellation by Court

1. Pursuant to Articles (35) and (74) of the Law, the concerned party who has a substantial interest may submit a request to the court to invalidate the Patent for each claim separately or the Patent-related rights at any time after the registration of the Patent or related rights.
2. A party who submits a request to the court in accordance with the previous paragraph of this Article shall prove the following with supporting evidence:
 - a. He has a substantial interest in the registration of the Patent or related rights.
 - b. The registered Patent does not fulfill any of the conditions stipulated in Paragraphs (a) through (j) of Clause (1) of Article (39) hereof, in the event of a request to invalidate the registered Patent.
3. The right related to the Patent has been unduly granted, in the event of a request to invalidate the right related to the Patent.

Article (53)

National Registration of International Applications in the State

1. If an applicant wishes to enjoy the effects of the international application provided for in Clause (3) of Article (11) of the PCT, such applicant shall file a national application by taking the following procedures within thirty (30) months from the international filing date or the earliest priority date, whichever is earlier:
 - a. Submit a request to specify the information stipulated in Paragraph (F) of Clause (1) of Article (19) hereof.
 - b. Submit the documents stipulated in Items (2), (3) and (4) of Article (19) hereof.
2. In the event that the applicant does not file a national application in the State in accordance with the preceding paragraph, the international application shall lose the effect of a national application under Clause (3) of Article (11) of the PCT and shall be considered a new national application.
3. In the event that the applicant does not comply with the time limit stipulated in Clause (1) of this Article, the Ministry may reinstate the effect of the international application specified in

Clause (3) of Article (11) of the PCT, provided that the applicant submits evidence of the following:

- a. The delay in meeting the time limit is unintended or has occurred despite due diligence.
 - b. The applicant submits a written request to the Ministry to reinstate the effect of the international application, with an explanation of the reasons for failure to file a national application in the State, within two (2) months from the date of cessation of the reason, or after twelve (12) months from the date of expiry of the time limit stipulated in Clause (1) of this Article, whichever is earlier.
 - c. The applicant submits the required permit or application supporting documents in accordance with the instructions of the Ministry.
4. If the Ministry finds reasons for rejecting the application submitted in accordance with Clause (3) of this Article, the Ministry shall invite the applicant to present his argument before rejecting the application.

Article (54)

Filing an International Application with the Ministry

1. Any of the following persons, whether natural or legal persons, may file an international application with the Ministry as a PCT Receiving Office:
 - a. Citizens of the State.
 - b. Foreigners residing or having a place of business in the State.
 - c. Persons not included in Paragraphs (a) or (b) of this Item who submit an international application through a person who falls under Paragraphs (a) or (b) of this Item.
2. A person filing an international application shall file the application with description, claims, drawings and abstract in English or Arabic in accordance with the instructions of the Ministry.
3. An international application filed under Item (2) of this Article shall provide for the following:
 - a. An indication that the application is an international application filed under the PCT.
 - b. Designation of the PCT Contracting States in which protection for the Invention claimed in the application is sought (hereinafter referred to as the "Designated States").
 - c. An indication of obtaining a regional Patent under the PCT.
 - d. An indication of excluding some of the Contracting States from the Designated States.

- e. The name, profession, address or place of business and nationality of the applicant, or the name and address of the inventor in the case that the national law of a Designated State stipulates that only the inventor can be the applicant.
 - f. The name and address of the inventor.
 - g. The name, address, or place of business of the agent, if any.
 - h. The title of the Invention.
4. The description referred to in Item (2) of this Article shall clearly explain the Invention in detail in such a way that a person skilled in the relevant art can easily understand the Invention.
 5. The claims provided for in Item (2) of this Article shall state the matters for which protection is sought in a clear and concise manner and shall be fully supported by the description.

Article (55)

International Application Fees

A person intending to file an international application shall pay the applicable fees, including international application filing fees, search fees, referral fees and any other fees.

Article (56)

Applicability of Provisions in the Absence of a Special Provision

Where no special provision is made in this Resolution, the provisions of Patents shall apply to Utility Model Certificates.

Article (57)

Industrial Design Registration Application

1. The Industrial Design registration application shall include a set of data, including:
 - a. The title of the design.
 - b. The name and address of the applicant.
 - c. The name and address of the designer.
 - d. The agent, if any, and his address.

- e. The characteristic feature of the design that identifies the elements to which the design is applied.
 - f. The number of the original application and its filing date if the application is a divisional application of the original application.
 - g. The number of the earlier application and its filing date, and the name of the office with which the earlier application has been filed if the applicant is claiming priority under the Paris Convention.
2. The following documents shall be attached to the application upon filing or upon division of the application, if any:
 - a. Drawings.
 - b. Description of drawings.
 - c. Illustration, and the Ministry may choose the illustration.
 3. The applicant shall submit the following documents, as the case may be:
 - a. A copy of the commercial register extract or an official extract of the partnership agreement or deed of establishment, as the case may be, if the applicant is not a natural person.
 - b. The document that proves the applicant's entitlement to the design if he is not the designer.
 - c. A power of attorney if the application is filed by someone other than the applicant.
 - d. A copy of the Emirates ID card, if the applicant or his representative is a natural person residing in the State.
 4. The documents stipulated in Paragraphs (a), (b) and (c) of Clause (3) of this Article shall be duly certified in accordance with the instructions of the Ministry.
 5. The documents stipulated in Item (2) of this Article shall be submitted in both English and Arabic. Any fundamental difference between the documents in English and Arabic shall constitute a reason for rejection by the Ministry, cancellation by the group of examiners, and annulment by the court.
 6. The Ministry may request the applicant to submit any document it deems necessary within the specified period, which shall not be less than ninety (90) days.

Article (58)

Verification of Design Applications

1. The applicant shall submit on the filing date, at least, drawings showing the design, either in English or Arabic. In the event that such requirement is not met, the Ministry will not be able to verify the design application and shall reject the application without allowing the applicant to submit the missing documents or modify the application.
2. The applicant may make a declaration to the Ministry that he has submitted all the necessary documents in accordance with Article (57) hereof during the application filing period or during the examination, and the Ministry may, in this case, expedite the examination of the application.

Article (59)

Submission of Missing Documents and Examination

1. The applicant shall submit the documents stipulated in Paragraphs (b) and (c) of Item (2) and Clause (3) of Article (57) hereof within the specified period which shall not be less than ninety (90) days from the date of the request; otherwise, the application shall be deemed null and void.
2. The applicant shall submit a translation of the documents stipulated in Item (2) of Article (57) hereof if the documents are in Arabic or English only, within the specified period which shall not be less than ninety (90) days from the date of the Ministry's request; otherwise, the application shall be deemed null and void.
3. The Ministry may ask the applicant to correct or amend the application, and the applicant shall correct or amend the application within the specified period which shall not be less than ninety (90) days from the date of the request; otherwise, the application shall be deemed null and void.
4. As an exception to Items (1) through (3) of this Article, the applicant may re-activate the application by paying re-activation fees and additional late fees within nine (9) months from the date the application is deemed null and void.

Article (60)

Format of Industrial Design Drawings

The following shall be considered in the Industrial Design drawings:

1. Each design shall include black and white drawings with a sufficient number of views, in a clear and complete manner, to disclose the complete appearance of the design claimed.
2. As an exception to Clause (1) of this Article, the applicant may submit black and white photographs if photographs are the only practicable medium for illustrating the design. If the applicant submits both drawings and photographs, the drawings shall prevail.

Article (61)

Design Priority Claim

1. The applicant may add or amend a priority claim before publishing the application or registration.
2. The applicant shall submit a copy of the earlier application, or its attachments issued by the competent office with which the earlier application has been filed, within the specified period which shall not be less than ninety (90) days from the date of requesting same by the Ministry.
3. A priority claim shall be considered void if the applicant fails to fulfill the requirements stipulated in the previous items of this Article.

Article (62)

Number of Designs and Division of Applications

1. An Industrial Design application shall contain only one design.
2. As an exception to Clause (1) of this Article, an applicant may file an Industrial Design application with more than one design if the designs belong to one group of items of the same category.
3. An Industrial Design applicant may divide the application into more than one application within the scope of the original application while the original application is under consideration in the Ministry.

Article (63)

Examination of Industrial Design Applications

1. The Ministry shall examine the Industrial Design application to verify that the following have been met:
 - a. The application has been filed by a natural or legal person enjoying the nationality of the State, or by a foreign national who has the right to file an application in accordance with the provisions of any international agreement or convention to which the State is a party, or who holds the nationality of a state that applies the principle of reciprocity with the State in accordance with Article (3) of the Law.
 - b. The application has been filed by the owner of the design right.
 - c. The application has been jointly filed by all the joint owners if the design right is jointly owned.
 - d. The documents referred to in Item (2) of Article (57) hereof and their translations are substantially identical.
 - e. The design does not involve any impermissibility as defined in Item (2) of Article (43) of the Law.
 - f. No application has been submitted before to the Ministry for the same design, nor the design applicants have submitted a written agreement as stipulated in Items (1) and (2) of Article (18) hereof.
 - g. The Industrial Design is new, innovative, and ornamental and can be used as an industrial or craft product.
 - h. The drawings do not involve any new matters outside the scope of the substantive request made upon filing the application.
 - i. The drawings are within the scope of the original application if the application is part of the original application.
 - j. The application contains only one design or designs belonging to one group of items in accordance with Items (1) and (2) of Article (62) hereof.
 - k. The application drawings shall be drawn up if the conditions stipulated in Article (60) hereof are fulfilled.

2. In the event that the application does not meet the requirements stipulated in Clause (1) of this Article, the Ministry shall inform the applicant of the reasons for rejecting the Industrial Design registration application and invite the applicant for re-examination to present his justifications with amendment, if necessary.
3. The Ministry may reject the application without inviting the applicant for re-examination if it sees that the applicant has been given sufficient opportunity for re-examination at least once, and the applicant has failed to address the reasons for rejection.

Article (64)

Applicability of Provisions in the Absence of a Special Provision

1. Unless otherwise stipulated by a special provision in this Resolution, the provisions of Patents shall apply to Industrial Designs, taking into account the nature of the Industrial Design.
2. An Industrial Design registered in a post-grant re-examination shall not be invalidated or annulled by a court ruling due to failure to meet the requirements stipulated in Paragraphs (J) and (K) of Clause (1) of Article (63) hereof.
3. Article (32) hereof shall not apply to the publication of Industrial Design applications. An Industrial Design may not be published before registration except upon a request from the applicant.

Article (65)

Refusal to Register a Contractual License

1. In the event that the Ministry finds that the contractual license abuses an Industrial Property right or harms commercial competition in the State as stipulated in Item (2) of Article (54) of the Law, it shall refer it to the department in charge of competition affairs in the Ministry for an opinion on the matter.
2. If the department in charge of competition affairs finds that the contractual license harms fair commercial competition, the Ministry shall ask the owner of the Protection Title to amend the contractual license terms in order to remove the reasons for refusal.
3. In the event that the reasons for refusal are not removed after the contractual license is amended, the Ministry shall completely refuse to register the contractual license.

Article (66)

Applications for Registration of Layout-Designs of Integrated Circuits

1. Any person who has created a Layout-Design of Integrated Circuits, or his legal successor, may file an application with the Ministry for registration of the Layout-Design within two years from the date on which the Layout-Design is commercially used.
2. The application for registration of the Layout-Design shall include the information requested by the Ministry, including the following:
 - a. The name of the Layout-Design.
 - b. The name and address of the applicant.
 - c. The name and address of the designer.
 - d. The representative and his address, if any.
 - e. The date of creation of the Layout-Design.
 - f. The date of the first commercial use of the Layout-Design.
3. The Layout-Design application shall be accompanied by the following documents upon filing the application:
 - a. A computer-readable electronic file with two- or three-dimensional structures of the Layout-Design.
 - b. Explanation of the Layout-Design.
4. The applicant shall submit the following documents, as the case may be:
 - a. A copy of the commercial register extract or an official extract of the partnership agreement or deed of establishment, as the case may be, if the applicant is not a natural person.
 - b. The document that proves the applicant's entitlement to the Layout-Design if he is not the designer.
 - c. A power of attorney, if the application is filed by someone other than the applicant.
 - d. A copy of the Emirates ID card, if the applicant or his representative is a natural person residing in the State.
5. The documents stipulated in Paragraphs (a) through (c) of Clause (4) of this Article shall be duly certified in accordance with the instructions of the Ministry.

6. The document stipulated in Paragraph (b) of Clause (3) of this Article shall be submitted in both English and Arabic.
7. The Ministry may ask the applicant to submit any other necessary document within the specified period, which shall not be less than ninety (90) days.

Article (67)

Submission of Missing Documents

1. The applicant shall submit the documents stipulated in Clause (4) of Article (66) hereof within the specified period which shall not be less than ninety (90) days from the date of the Ministry's request; otherwise, the application shall be deemed null and void.
2. The applicant shall submit a translation of the documents stipulated in Paragraph (b) of Clause (3) of Article (66) hereof if the documents are in Arabic or English only, within the specified period which shall not be less than ninety (90) days from the date of the Ministry's request; otherwise, the application shall be deemed null and void.
3. The Ministry may ask the applicant to correct or amend the application, and the applicant shall correct or amend the application in response to the Ministry's request within the specified period which shall not be less than ninety (90) days from the date of the Ministry's request; otherwise, the application shall be deemed null and void.
4. As an exception to Items (1) through (3) of this Article, the applicant may re-activate the application by paying re-activation fees and additional late fees within nine (9) months from the date the application is deemed null and void.

Article (68)

Examination of Applications for Layout-Designs of Integrated Circuits

1. The Ministry shall examine the application and its attachments to verify that the following have been met:
 - a. The application has been filed by a natural or legal person enjoying the nationality of the State, or by a foreign national who has the right to file an application in accordance with the provisions of any international agreement or convention to which the State is a party,

- or who holds the nationality of a state that applies the principle of reciprocity with the State in accordance with Article (3) of the Law.
- b. The application has been filed by the person who has the full right to file the application.
 - c. The application has been jointly filed by all the joint owners if the Layout-Design right is jointly owned.
 - d. The Layout-Design is original in accordance with the provisions of Items (1) and (2) of Article (55) of the Law.
 - e. The application has been filed within the period stipulated in Clause (1) of Article (66) hereof.
2. In the event that the application does not meet the requirements stipulated in Clause (1) of this Article, the Ministry shall inform the applicant of the reasons for rejecting the application and invite him for re-examination to present his justifications with amendment, if necessary.
 3. The Ministry may reject the application without inviting the applicant for re-examination if it sees that the applicant has been given sufficient opportunity for re-examination at least once.

Article (69)

Confidentiality of the Layout-Designs of Integrated Circuits

The Ministry shall take the necessary measures to ensure the integrity and confidentiality of the documents submitted under Paragraphs (a) and (b) of Clause (3) of Article (66) hereof.

Article (70)

Applicability of Provisions in the Absence of a Special Provision

1. Unless otherwise stipulated by a special provision in this Resolution, the provisions of Patents shall apply to Layout-Designs, taking into account the nature of the Layout-Design.
2. As an exception to Article (32) hereof, the Layout-Design application shall not be published.
3. As an exception to Clause (1) of Article (41) hereof, the documents stipulated in Paragraphs (a) and (b) of Clause (3) of Article (66) hereof may not be disclosed upon registration of the Layout-Design.

Article (71)

Terms of Protection of Undisclosed Information

1. Undisclosed information shall be protected against illegal use, disclosure, or publication by others if the undisclosed information has previously been published or disclosed to the public by any means.
2. Subject to the provisions of Article (63) of the Law, the legal holder of undisclosed information shall take the necessary measures to maintain the confidentiality of undisclosed information, taking into account the circumstances and nature of the information to be protected, including the following:
 - a. Keeping documents or any other media containing undisclosed information in a manner that ensures the avoidance of any unauthorized access thereto by others.
 - b. Managing the workplace so that employees do not know the undisclosed information.
 - c. Not to allow others to visit the workplace except with the prior permission of the owner and in the presence of himself or his authorized representative.
 - d. Preventing any visitor program that would allow a visitor to know the undisclosed information.
 - e. In the event that the owner of the undisclosed information enters into an employment contract with an employee, the contract shall oblige the employee not to disclose any element of the undisclosed information obtained in the course of his work, and not to, directly or indirectly, use or exploit such information for his benefit or for the benefit of any third party during the term of his service or after termination thereof for any reason, without the prior permission of the employer.
 - f. In the event that the owner of the undisclosed information enters into an agreement to assign some of the business of his company to any third party to whom he may give access to some elements of the undisclosed information, the agreement shall require such third party not to disclose any element of the undisclosed information obtained in the course of performance of the agreement, and not to, directly or indirectly, use or exploit such information for its benefit or for the benefit of any third party during the term of the agreement or after termination thereof for any reason, without the prior permission of the owner of the undisclosed information.

- g. In the event that the owner of the undisclosed information enters into a contract to transfer the undisclosed information or give a license therefor to a third party, the contract shall require the owner and the third party and their employees not to, directly or indirectly, disclose any element of the undisclosed information before and after the transfer of the undisclosed information.

Article (72)

Registered Agents

Only Registration Agents whose names are entered in the list of Registration Agents shall be allowed to practice the profession of Registration Agents, and they shall not represent each other.

Article (73)

Application for Registration of Registration Agents

1. A natural person who wishes to be registered in the list of Registration Agents maintained by the Ministry shall submit a written application to the Ministry with the following documents:
 - a. A copy of a valid Emirates ID card.
 - b. A copy of a valid business license.
 - c. Certificate of bachelor's degree or higher academic degree.
 - d. Certificate of good conduct.
 - e. Certificate of practical experience or professional qualifications related to Industrial Property.
2. A company or partnership that specializes in Industrial Property and has its headquarters or branch in the State can act as a Registration Agent. In this case, its manager shall submit the documents stipulated in Clause (1) of this Article, and in the event that no manager has been appointed for the company, its owner or partner shall submit the documents stipulated in Clause (1) of this Article.
3. The Ministry may request an additional test to ensure that the applicant as a Registration Agent has the necessary experience.

Article (74)

Registration of Registration Agents

1. The Ministry shall record the information related to the application for registration of the Registration Agent, including the filing date and the Ministry's decision, in the Register.
2. The registration of a Registration Agent shall be valid for a period of three (3) years. A Registration Agent who wishes to renew the registration shall submit a written application before the expiry of the registration validity period, at least three (3) months from the expiry of the registration. In the event that such requirement is not met, the registration shall not be renewed.
3. In the event that the Ministry discovers any defect in the application for registration of the Registration Agent or renewal thereof, the Ministry shall ask the applicant to correct the defect within a specified period of not less than thirty (30) days. If the applicant does not fulfill the Ministry's request within the specified period or does not fulfill the conditions stipulated in Article (73) hereof, the Ministry shall reject the application.
4. An applicant whose application for registration as a Registration Agent or renewal thereof has been rejected or who has not submitted the renewal application within the period specified in Clause (3) of this Article may submit a petition to the Ministry to cancel the decision within sixty (60) days from the date of receiving the decision.

Article (75)

Publication of Registered Agent Lists

1. The Ministry shall disclose the names of registered agents in the list of Registration Agents which shall be available to the public to ensure easy access.
2. The Registration Agent who requests to be registered in the list of Registration Agents or to renew his registration shall pay the due fees; otherwise, he shall be deemed unregistered.

Article (76)

Duties of Registration Agents

1. A Registration Agent recorded in the register shall do the following:

- a. Notify the Ministry immediately of any change in the headquarters address, e-mail, phone number, or any other information related to his profession.
- b. State his name and his registration number in all correspondence and documents issued by him.
- c. Perform his work in accordance with the principles of the profession and the provisions of the Law and this Resolution.

Article (77)

Investigation and Deregistration of Registration Agents

1. The Ministry may, *sua sponte* or based on a complaint filed therewith, carry out an investigation to verify whether the Registration Agent has violated the provisions of the Law, this Resolution, or the principles of the profession, or has not met any of the registration or renewal requirements.
2. The Ministry may deregister the Registration Agent based on the result of the investigation and notify him of the deregistration. In this case, the deregistered Registration Agent may submit a petition to the Ministry for his re-registration within sixty (60) days from the date of the issuance of the decision.
3. In the event that the Ministry finds that the incident attributed to the Registration Agent constitutes a criminal offense, it shall report it to the police or Public Prosecution.

Article (78)

De-listing of Registration Agents

1. The Registration Agent shall be de-listed from the list of Registration Agents in the event of his death, his cessation to act as an agent, invalidity of his registration, his deregistration, or a request from the Ministry to remove his name from the register of Registration Agents.
2. In the event that a Registration Agent is de-listed from the register of Registration Agents, the Ministry may announce the de-listing to the public and notify the relevant authorities of the Registration Agent who has been de-listed by any available means.

Article (79)

Fees

1. The Ministry shall take the appropriate measures to refund the fees to their payers, upon the request of the fee payer, in any of the following cases:
 - a. Fees paid in error.
 - b. Parts of the annual fees for the years subsequent to the year of complete surrender of the Protection Title or of the decision of complete cancellation or annulment and the Protection Title becoming final and conclusive.
 - c. The substantive examination fee if the application is voluntarily withdrawn by the applicant, provided that the Ministry has not started the examination or prior art search. However, the Ministry may refuse to refund the substantive examination fee depending on the circumstances.
2. The Cabinet shall issue a decision regarding the due fees stipulated in the Law and this Resolution, and any reductions or exemptions from paying the fees.

Article (80)

Access and Copies of Documents

1. The Ministry may allow any person to have, upon request, access to the information related to any Industrial Property available at the Ministry in the presence of the officer in charge at the Ministry, after such information becomes available to the public under the Law or this Resolution.
2. The Ministry shall allow any person to have, upon his request, access to the information related to a Patent or Utility Model Certificate after publication of the application, after registration, or after eighteen (18) months from the date specified in Paragraphs (a) through (D) of Item (2) of Article (32) hereof, whichever is earlier. This provision shall not apply to Industrial Designs, undisclosed information, and Layout-Designs of Integrated Circuits.
3. Any person may, after paying the due fees, obtain copies of the documents containing the information referred to in the previous items, or extracts thereof.

Article (81)

Industrial Property Bulletin

1. The Industrial Property Bulletin shall include the following:
 - a. Decisions and documents attached thereto.
 - b. Publication of applications.
 - c. Registration of Industrial Property rights.
 - d. Loss, waiver, or invalidation of Industrial Property rights.
 - e. Rights related to Industrial Property rights.
 - f. Committee's decisions.
 - g. Court rulings related to Industrial Property rights.
2. It shall be prohibited to publish in the Industrial Property Bulletin any topics that would be contrary to the public order or morality or harmful to the public health.
3. The Industrial Property Bulletin may be issued in paper or electronic form.
4. In the event that the Industrial Property Bulletin is issued in electronic form, it shall be published on a publication server accessible through the Ministry's website or through the mechanism specified by the Ministry.

Article (82)

Publication and Entry into Force of the Resolution

This Resolution shall be published in the Official Gazette and shall enter into force ninety (90) days following the date of its publication.

Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by us:

On: 9 Rajab 1443 AH

Corresponding to: 10 February 2022 AD