



مكتب فراهات وشركاهم
Farahat & Co.
Established 1985, in UAE

Patent Registration Intellectual Property (IP)



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PATENTS

A Patent is a right associated with any new invention resulting from a novel idea or novel improvement of an invention protected by a patent, in all fields of technology, whereby the idea or improvement is based on scientific principles and capable of industrial exploitation, whether be it new industrial products, or developed industrial methods, or new applications of common industrial methods.

Application Filing

The Initial step to register a Patent is the filing of the application for the grant of a patent, after this the concerning authorities examined it as to the compliance with formalities and patent ability provided for under the Patent Law including the novelty, inventiveness and industrial applicability. If the application is rejected, the applicant shall have the right to appeal to the Committee within 60 days as of the date of receiving the notification of rejection. The accepted applications are published in the Official Gazette and any interested party has the right to appeal to the Committee within 60 days as of the date of publication in the Official Gazette. If no opposition is lodged within the time limit indicated above, the letters patent or the utility certificate is issued. However, it is to be noted that no Committee has been formed yet.

As per the new Patent Law, a patent is valid for 20 years. A utility certificate is valid for 10 years.

The payment of annuities can be made on or before the due date at any time and for any number of years. However, annuities can still be paid during the three months after the due date without late payment fee and another 3 months with a late payment fee (total grace period is six months).

Restriction on Application

The application must be restricted to one invention only or to a group of interrelated inventions yielding one general innovative concept. If it is evident after the issuance of the letters patent that the condition of interrelationship has not been met in accordance with the aforementioned statement, then such evidence shall not negate the patent.

Requirements for Patent Applications

1. A power of attorney duly legalised by the UAE Consulate.
2. A duly legalised extract from the Commercial Register or from the Memorandum of Association if the applicant is a company or body corporate.
3. One copy of the English specification and claims together with its Arabic translation.
4. One set of the drawings relating to the invention, if any.
5. An abstract of the invention of no more than 200 words, together with the best explanatory diagram.
6. A duly legalised deed of assignment signed by the inventor, if the applicant is not the inventor.

7. A certified copy of the application giving the filing date, number and country if the application is to be filed with a priority claim.

Please note that the documents in item (3,4 and 5) should be submitted at the patent office on the filing date of the application, while documents in items (1,2,6 and 7) can be submitted within 90 (strictly non-extendible) days from the filing date of the Patent Application.

For PCT applications entering the national phase in the UAE, a copy of the PCT international publication search and examination reports must be submitted with the application.

Requirements for Assignment Applications

1. A power of attorney executed by the assignee and duly legalised by the UAE Consulate.
2. A duly legalised deed of assignment executed by both parties.
3. A duly legalised Certificate of Incorporation of the assignee.

Requirements for License Agreement Applications

1. A power of attorney executed by the licensee and duly legalised by the UAE Consulate.
2. A duly legalised license agreement executed by both parties.

Requirements for Change of Name/Address Applications

1. A power of attorney in the new name and/or address duly legalized by the UAE Consulate.
2. A legalised certificate proving the change of name or address issued by the local competent authority of the Applicant's domicile

Requirements for Agency Agreements:

1. A power of attorney legalised by the UAE Consulate.
2. For individual merchants, two copies of the following:
 - a) The commercial permit.
 - b) The entry in the commercial register.
 - c) The commercial agency agreement duly legalised by the Consulate of United Arab Emirates.
 - d) The Arabic translation duly notarised if the agency contract is not in the Arabic language.
 - e) The agent's entry or identification card.
 - f) The powers of attorney duly notarised.
 - g) Two copies of the declaration.

Remarks

1. The originals have to be shown for checking when submitting the application.
2. The application is to be submitted in two copies each one in a separate file.
3. For companies:
 - a) All that was mentioned above in No. 2 and extracts of entries for all the partners or certificates from the Migration, Nationality and Passports Department stating that they are nationals.
 - b) Two copies of the Memorandum of Association and Articles of Incorporation duly legalised.