

IP Administrative Services in Jordan

This document aims to lay in the reader hands intellectual property administrative services requirements, procedures and time frame for registering all IP rights in Jordan as follows:

Trademarks

Trademarks Filing Requirements:

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Ten prints of the trademark for each application.
3. The name, nationality, address, status and occupation of the application.
4. A list of the goods/services and classes to be covered by the application.
5. A certified priority document, when priority is to be claimed.

Trademark filing process in Jordan:

Once the application is filed, it is examined to its conformity with the applicable laws and it is availability against prior applications or registrations which normally takes up to 45 days, after ward it will be forwarded to the official gazette or publication which might take place within 4 months form the filing date. If no opposition was filed by third parties with three months from the publication date, the application will mature into a registration and the certificate will be issued accordingly .The registration is valid for 10 years and is renewable for similar terms.

Kindly note the following points:

1. Multi class applications are not available under the Jordanian Trademark Law. Therefore, an application for each class should be filed separately.
2. Trademarks registration period are 10 years, starting from filing date.

Requirement fore recording a border measure:

1. A copy of the trademark registration certificate.
2. A specimen of the trademark intends to take measures for.

Models & Industrial Designs:

Design filing requirement:

1. Power of attorney notarized and legalized up to the Jordanian Consulate.
2. Description of the design pointing out its novel aspects.
3. The article (s) covered by the design and the material used in producing these items.
4. Class (es) in which the design is to be registered.
5. Three sets of specimens or representations of the design.
6. Extract from the commercial register of applicant legalized if applicant is not a normal person.
7. Certified copy of priority document if claimed.
8. Deed of assignment, if the designer is different from the applicant, legalized.
9. Declaration of Novelty and ownership legalized up to Jordan Consulate.
10. Details of the applicant.

Once the application is filed, it is examined to its conformity with the applicable laws and its availability against prior applications or registrations. This process might take up to 60 day. Once the application is accepted it is then forwarded to publication in the official gazette which might take place within 6 months from the filing date. If no opposition was filed by third parties with three months from the publication date, the application will mature into a registration and the certificate will be issued accordingly. The registration is valid for 15 years starting from filing date.

Patents

Please note that Jordan is a member to the Paris Convention for the Protection of Industrial Property, but not yet a member to the PCT despite the fact allowing Jordan to be a member maybe reviewed this year by the Parliament for approval.

Nevertheless, patents are protected according the Jordanian Invention law No.32 for the Year 2001. For the protection of patents, novelty in Jordan is not limited to the country. Once an application for the grant of a patent is filed it is examined with respect to compliance with formalities and patentability provided for under the Patent law.

An application should be filed in Jordan within twelve months as from the date of the first international publication or within twelve months as from the date of first filing in order to claim priority; and it must be in accordance with the application filed in the home country.

Amendment of patent's specifications is possible before the official grant of the subject patent provided that said amendments do not exceed what has been disclosed in the original application.

A novelty examination takes into consideration any specification previously lodged with the Patent Office or any patent previously registered. The Patent Office may require whatever amendments it deems necessary to bring the application into conformity with the law. In case the applicant does not comply with the requirements of the Patent Office as authorized by the Registrar of patents, the Registrar will reject the application.

The law allows for the protection of chemical products relating to medical drugs, pharmaceutical compositions.

An applicant is entitled to appeal against the requirements and conditions of the Patent Office by means of submitting a petition to the High Court of Justice, within one month as from the date of the Registrar's decision. Approved applications are published in the Official Gazette and are rendered open to public inspection.

Any party may oppose the grant of a patent within three months as from the date of publication.

The opposition notice is submitted to the Registrar of patents. If no opposition against the grant of a patent is filed, the letters patent is granted after payment of the prescribed fees.

A patent under the Law is valid for twenty years from the date of filing the application or from the priority date in case of claiming priority. The application is subject to payment of the prescribed annuity fees due, after issuance of letters patent, from the date of filing in Jordan or the convention filing date in the case of priority applications. A grace period of six months, from the due date, is granted to the owners of registered patents to pay the due fees. If this is the case, the official fees have to be paid in double.

The right to a patent may be assigned, transferred through succession or license. The assignment of granted patents must be made in writing. An assignment will have no effect against third parties unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents is an official requirement. In case the owner of a patented invention in Jordan fails to satisfy the stipulated working requirements of the country within three years, as from the date of grant, the patent will be subject to compulsory licensing under the provisions of the Law.

Alternatively, nominal working of a patent can be fulfilled by publishing a notice in a daily newspaper every 2 years, inviting interested parties to exploit the concerned patent.

The rights conferred by a patent on the registered patentee expire on the lapse of the protection period as prescribed by the Law, lawful assignment of the patent rights, final court decision to this effect, or nonpayment of annuity fees within six months after the respective due date.

Infringement of the rights of a patentee is penalized under the provisions of the current Patent Law in Jordan.

Patent Filing requirements::

1. A power of attorney legalized and notarized up to the Jordanian Consulate. (Applications can be filed with a copy of the notarized power of attorney provided that the legalized original will follow within 60 days as from the filing date).
2. A certified copy of the certificate of registration of the company or articles of association for a corporate person.
3. Affidavit (patent application form No. 4) duly notarized and legalized. This form should be jointly signed by the inventor(s) and the later is not the inventor (s). If this is the case, said form will serve also as a deed of assignment.
4. Three copies of the specifications and claims in English and Arabic (translation maybe prepared by us).
5. Three sets of the formal drawings, if any.
6. A certified copy of the home application or registration or a certified priority documents, if priority is to be claimed. (The patent number and first filing date have to be available upon filing and the original documents must be submitted within 60 days.)
7. for publication: A brief description of the invention and the new claims whose protection is sought in about (200) words for the purpose of publication in the Official Gazette. The said brief description should be independent of the application; and it should comprise the following:
 - a. The name of the inventor and the applicant if the applicant is not the inventor and the addresses of both of them.
 - b. A summary of the specifications of the invention, the claims whose protection is sought illustrative drawing associated with it. The said summary must indicate the technical or scientific field of the invention and give a clear idea of the technical problem, the essence of its solution and 'the main uses of the invention.
 - c. The chemical formula that best distinguishes the invention compared with the other formulas listed in the application if needed and if the invention is a chemical one.
 - d. The best suited illustrative drawing among those presented by the applicant (if applicable).

Kindly note the following points:

- 1- Patent Applications can be filed with only the specifications, claims, abstract and drawings, while all the other documents can be submitted within 60 days from the filing date.
- 2- Nominal working of a patent is a requirement under the Jordanian Patent Law as from 4 years of the filing date or 3 years as from granting date and failing to do so will be become subject to compulsory licensing, on the other hand it is possible to meet this requirement by publishing a notice in a daily newspaper inviting any interested party to exploit the patent, which can be done every two years.
- 3- Annuities should be paid after issuance of letters patent and they are calculated from the filing date or priority date with a permitted grace period of six months.

Copyright

Copyright Filing Requirements (written material):

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Four copies of the work.

Copyright Filing Requirements (other copyrightable works):

1. A power of attorney notarized and legalized up to the Jordanian Consulate.
2. Two copies of the work.

Kindly note the following points:

A copyright application can be filed in Jordan only if one of the following conditions is met:

- a- The applicant is Jordanian.
- b- The work is created by a resident in Jordan and is to be published and distributed in Jordan.
- c- The subject of the work is related to Jordan.

For further information in this regard or in any other Intellectual property matters, please do not hesitate to contact us at: info@lawgate.com.jo

“We Exist To Serve”

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