



# KUWAIT COUNTRY INFORMATION



# PATENTS

## USEFUL INFORMATION

## REQUIREMENTS

## SEARCHES



Non-official searches are not possible.

Official searches are not possible.

## FILING REQUIREMENTS



Arabic translation of all documents is required.

Original copies of supporting documents are required.

**At the time of filing:**

- Applicant and inventor details in English and Arabic.
- Title of Invention and Abstract in English and Arabic at time of filing.
- Specification, claims and drawings in English at time of filing.
- Copy of the Notarised Power of Attorney.
- Copy of the PCT application (for PCT applications).

**Within 90 days of filing:**

- Specification, claims and drawings in Arabic.
- Power of Attorney, legalised to the embassy of Kuwait.
- Deed of Assignment, legalised to the embassy of Kuwait (this is not required for PCT applications).
- Certified copy of Certificate of Incorporation or Commercial Extract if applicant is a company, legalised to the embassy of Kuwait (this is not required for PCT applications).

## PRIORITY CLAIM(S)



Priority must be claimed at the time of filing.

12 month Paris Convention priority period.

Certified copy of the Priority Document in English with its Arabic translation (this is not required for PCT applications).

## TYPE OF EXAMINATION



Formal examination.

Substantive examination\*  
\*Substantive examination has not yet started in Kuwait.

## PUBLICATION



Patents are published in the official gazette after the decision to grant.

## USEFUL INFORMATION

## REQUIREMENTS

## OPPOSITIONS



Not available.

## PROTECTION TERM



Patents expire 20 years from the national filing date for Non-PCT filings (or the international filing date if the application is a PCT-national phase application) provided all annuities are paid.

## CHANGE OF NAME AND/OR ADDRESS



Changes of name and/or address may be recorded against pending applications and registrations.

The original documents are required.

Power of Attorney, legalised to the embassy of Kuwait.

Change of name/address declaration OR Certificate of Incorporation showing the change, legalised to the embassy of Kuwait.

## ASSIGNMENTS



Assignments may be recorded against pending applications and registrations.

The original documents are required.

Power of Attorney, legalised to the embassy of Kuwait.

Deed of Assignment, legalised to the embassy of Kuwait.

## ANNUITIES



Annuities must be paid every year between 1 January to 31 March.

There is a 3-month grace period for late payment of annuities (penalty fees apply).

Annuities are calculated from the anniversary of the national filing date (or the international filing date if the application is a PCT-national phase application).



# DESIGNS

## USEFUL INFORMATION

## REQUIREMENTS

## SEARCHES



Non-official searches are not possible.

Official searches are not possible.

## FILING REQUIREMENTS



Arabic translation of all documents is required.

The original documents are required.

**At the time of filing:**

- Figures in English.
- Description of figures in English.
- Description of design in English and Arabic.
- Applicant(s) and designer(s) details in English and Arabic.
- Notarised Power of Attorney.

**Within 90 days of filing:**

- Figures in Arabic.
- Description of figures in Arabic.
- Power of Attorney, legalised to the embassy of Kuwait.
- Certificate of Incorporation, legalised to the embassy of Kuwait.
- Certified copy of Priority Document, legalised to the embassy of Kuwait.

## MULTIPLE DESIGN FILING SYSTEM



Not possible.

## PRIORITY CLAIM(S)



Priority must be claimed at the time of filing.

## EXAMINATION



Formal examination only.

## PUBLICATION



Designs are published in the official gazette after grant.

## OPPOSITIONS



There is no opposition for designs in Kuwait. You must file a legal case in the court directly in case there is a similar or an identical design application which has been published in the official Gazette.

## USEFUL INFORMATION

## REQUIREMENTS

PROTECTION  
TERM

Design protection is valid for 10 years from the date of filing, renewable for a further 5-year period, bringing the total protection period available to 15 years (no grace period for renewal).

CHANGE OF  
NAME  
AND/OR  
ADDRESS

Changes of name and/or address may be recorded against registrations only.

The original documents are required.

Power of Attorney, legalised to the embassy of Kuwait.

Change of name/address declaration OR certificate of incorporation showing the change, legalised to the embassy of Kuwait.

## ASSIGNMENTS



Assignments may be recorded against registrations only.

The original documents are required.

Power of Attorney, legalised to the embassy of Kuwait.

Deed of Assignment, legalised to the embassy of Kuwait.

## ANNUITIES



There are no annuity payments.



# TRADE MARKS



## USEFUL INFORMATION

## REQUIREMENTS

## SEARCHES



Word mark searches are available.

Device mark searches are limited to key word searches of non-standardised descriptions of marks.

## FILING REQUIREMENTS



Applicant's details (name, address and jurisdiction of incorporation).

Trade mark name and image.

Classes of interest and goods and services description.

A legalised Power of Attorney.

Late filing of this document is not possible.

## PRIORITY CLAIM(S)



Six month Paris Convention priority period.

Priority must be claimed at the time of filing the trademark registration application.

A PDF copy of the certified Priority Document is required at the time of filing the application.

A legalised certified copy of the Priority Document is required.

Late filing of this document is possible.

## CLASSIFICATION



Nice Classification (10<sup>th</sup> Edition).

It is only possible to claim goods/services which are available in the Nice Classification version adopted by the Trade Mark Office.

Class 33 is not allowed.

Alcohol products in class 32, pork products, bar or night club services are not allowed.

## EXAMINATION



Formal, absolute and relative grounds.

Refused marks must be appealed to the Trade Marks Committee.

A legalised Power of Attorney must be submitted upon filing of the appeal.

## OPPOSITIONS



60 days opposition period.

If the applicant does not defend the opposition, the opponent will succeed by default.

If the opposition is defended, the parties may request a hearing, following which a decision will issue.

A legalised Power of Attorney is required at the time of filing the opposition.

Evidence should be submitted at the time of filing the opposition.

## USEFUL INFORMATION

## REQUIREMENTS

### PROTECTION TERM



10 years calculated from the filing dates of the trade mark registration application.

Registrations can be renewed every 10 years in perpetuity.

### USE REQUIREMENT



Marks may become vulnerable to cancellation after 5 years of non-use.

### CHANGE OF NAME AND/OR ADDRESS



Changes of name and/or address may be only recorded against trade mark registrations and not pending applications.

- A legalised Power of Attorney.
- A simple copy of trade mark registration or latest renewal certificate.
- A legalised change of name and/or address document.
- Late filing of supporting documents is not possible.

### ASSIGNMENTS



Assignments may be only recorded against trade mark registrations and not pending applications.

- A legalised Power of Attorney from the assignee.
- A simple copy of trade mark registration or latest renewal certificate.
- A legalised Deed of Assignment.
- Late filing of supporting documents is not possible.

### RENEWALS



Trade mark registrations are due for renewal within a 10-year period calculated from the filing date of the application.

There is a 6-month grace period for late renewals with additional fees.

- A legalised Power of Attorney.
- A simple copy of trade mark registration or latest renewal certificate.
- Late filing of supporting documents is not possible.



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