

Intellectual Property Rights Law

Overview The People's Assembly approved the new Intellectual Property Rights (IPR) Law No. 82 in May 2002. The new law is intended to bring Egypt's legal IPR regime into line with its obligations under the WTO Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. This new IPR law is intended to create an environment that will encourage creativity and boost much-needed foreign direct investment.

The new IPR law, comprised of 205 articles, unifies and supersedes existing intellectual property rights laws. It has four sections: trademarks, copyrights, patents and new plant varieties.

Patents and Industrial Designs

The Patents and Industrial Designs Law No. 132 of 1949 allows inventors to obtain patent protection for 20 years from the date of application. The patent holder has the exclusive right to exploit the invention, including the right to pledge, assign or license the patent. A separate office and register is maintained for industrial designs. Industrial designs are granted protection for five years from the date of registration, renewable for two similar periods.

The law includes provisions on data exclusivity and exclusive marketing rights that had been adopted by Prime Ministerial Decree in 2000. The government of Egypt has been designated as a developing country for pharmaceuticals and chemicals under the TRIPS Agreement.

Trademarks

The Trademark Law No. 57 of 1939 provides trademark holder protection for 10 years from the date of application, in accordance with the Trademark Law Treaty. Trademark protection is renewable indefinitely for similar periods. Renewal is not automatic, and the procedure for renewals is the same as the procedure for the initial registration of the trademark.

The trademark law provides for protection against false or misleading trade statements, including any description or claim relating to the following:

- The number, measurement, weight, components and contents of goods
- The date of manufacture and expiry date on food products
- The area or country where the goods were manufactured or produced
- The name and other details of a manufacturer or producer

Penalties have increased to a maximum of EGP 20,000; a minimum prison sentence of two months or both.

Copyrights

The Copyright Law No. 354 of 1954 defines copyright protection to include, among other things, architectural designs; speeches; theatrical, photographic, musical and cinematographic works; and television and radio programs. The law was amended in 1992 (by Law No. 38) to broaden the scope of its protection to include video tapes and computer software.

Books and computer programs are granted protection for the author's lifetime plus 50-70 years. Sound recordings are granted 50 years' protection from the recording date.

The specified penalty for copyright violations is a fine of EGP 5,000-10,000 per infringement, a prison term of not less than one month or both.

International Conventions

Egypt is a signatory to the Paris Convention, which states that if a patent application is made in a member country of the Paris Convention or any other country offering reciprocal treatment, the applicant may apply for a patent in Egypt within one year of the relevant application abroad.

Egypt is also a signatory to the Madrid Convention of 1954 and the Berne Convention of 1886.