

# Protecting Well-known Trademarks: A Comparative Study

<sup>1</sup>Dr. Abdelawal Abdin Mohamed Bassiouny

*<sup>1</sup>Assistant Professor at the Faculty of Law, American University in the Emirates, United Arab Emirates (UAE),  
abdeen5517@yahoo.com*

## Abstract

The present research paper addresses a problem of paramount importance: protecting well-known trademarks under local and international legislations. Mankind has experienced major developments as regards production patterns, commercial exchange, and communication owing to state-of-the-art technological systems that have made their way far into the vast majority of economic and commercial sectors. Drastic changes ensued at the levels of the ways and practices adopted by businesses. The importance of a trademark manifests itself in distinguishing a manufacturer's or a merchant's products from similar products by other manufacturers and merchants. Namely, a trademark serves as a means of promoting demand for a given commodity. When the consumption of the commodity so trademarked increases, such increase marks a wider reach by and trust in the trademark and the products stamped therewith. Accordingly, a trademark of that magnitude may account for a mega fortune for the owner. In consequence of accelerating international trade, trademarks have followed an accelerating suit; with many trademarks crossing the territorial limits of their countries of origin and achieving worldwide fame – such as Apple, Coca Cola, LG, and BMW, to name just a few. The accruing rights for and by those trademarks require protection from counterfeiting, forgery, and all forms of infringement on trademarks, needless to say. Consequently, nations have actively proceeded with enacting domestic legislations to ensure appropriate protection for and regulation of trademarks across all fields. The protection efforts have turned to the international level as well. Many conventions and agreements have been concluded in that respect, most notably the 1883 Paris Convention for the Protection of Industrial Property (WIPO) and the 1994 Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

**Keywords:** well-known trademarks, legal protection, international conventions, the UAE law.

## INTRODUCTION

The problem of the present research paper is bifold. The first is about how successful international conventions on the rules of protecting trademarks have been in standardizing those rules at the international level and ending the trademark counterfeiting or forging issues; and how developed and reflected these international rules in preventing illegal competition practices. The second relates to an overview of legal rules set forth in domestic legislations, such as the UAE laws, to find out how much protection these laws have

bestowed on trademarks. Other aspects subsumed under this part of the study include whether it is reasonable for a trademark to remain under the ordinary scope of nonexpanded protection as called for by international conventions. This is further explored below.

1. Protection of well-known trademarks under international legislations:

First: Protection of well-known trademarks under WIPO

The 1883 Paris Convention for the Protection of Industrial Property (WIPO) serves as the constitution on the protection of industrial property rights; being the first and the most important convention in that field. Besides, it comprises all the key rules on international protection of all industrial property aspects. Many countries have ratified WIPO (Assagheir H. , 2007); namely, France, Brazil, Belgium, Italy, Guatemala, the Netherlands, Serbia, Spain, and Switzerland; followed by Britain, Tunisia, and Ecuador after coming into force. There had been a total of 14 signatory states to WIPO, but increased to 19 signatories by the end of the 19th century. Following WWII, WIPO member states increased significantly, hitting 140 (Al Ahmer, 2004). Inclusive of highly important provisions on key themes, investigating these provisions results in three key principles: reciprocal treatment among all member states (formal reciprocity), priority for those who have proceeded with registration in their respective countries within a given period, and finally the principle of accepting the registration of all foreign trademarks at their countries of origin (independence of patents).

#### Principle 1: Formal Reciprocity

Under this principle, WIPO bestows, without prejudice to the rights provided for by WIPO in particular, the same level of industrial property protection as well as present and future legal benefits on the subjects of member states across all member states. Accordingly, those subjects enjoy the same protection granted for citizens under the same means of legal challenging as ensured to citizens against any violation of their rights (Assagheir H. A., 2004), provided that the applicable terms and procedures ensured for citizens are adopted (Barbarei, 2009). It is also notable that no special condition may be imposed on the subjects of WIPO members states respecting a person's stay or the presence of an establishment in countries where protection is enforced for purposes of enjoying any industrial property right. Rather, each member state has its own domestic legislations relating to judicial, administrative, and jurisdictional procedures as well as to the domicile(s) of choice and/ or appointment of agents as may be required by industrial

property laws. Consequently, the main objective behind WIPO has been to enable each citizen of or resident in a WIPO member state where they have a commercial establishment to enjoy protection for their invention, design, prototype, trademark, and/ or any other form of industrial property as set forth under Article 1 of WIPO across all WIPO members states. Such a protection is ensured by means of equal treatment of that owner to the citizens of WIPO member states as per the latter's respective laws (Abdullah, 2011). Once a state becomes a WIPO member, WIPO becomes part of the new member's national laws without any further need or requirement on that member to enact a law to put the rules of WIPO in force at the domestic level. Accordingly, foreigners derive direct rights from WIPO and may insist on the enforceability of WIPO provisions before national courts across member states regardless of any conflicting provisions with national laws. In other words, WIPO is self-enforceable. However, all members states must abide by that principle, failing which by any member allows the suspension of enforcement of the principle of formal reciprocity.

#### Principle 2: Priority

Pursuant to Article 4 of the WIPO, "Any person who has duly filed an application for [...] the registration of [...] a trademark, in one of the countries of the Union [namely, a member state] [...] shall enjoy, for the purpose of filing in the other countries, a right of priority [within six months from the date of the first filing]." (Portal, 2021) Therefore, not later application for registration or use by a third party within the priority period may be used or raised against that person. If that person fails to finalize registration measures in other member states within the six-month period, the right to priority will be waived. Only then a later application for registration or use by a third party may be raised against the person. For the right to priority to be affirmed, the trademark must be registered within the country of origin where the first application has been filed.

#### Principle 3: Independence of trademarks

Article 6 (d) of WIPO provides that if a trademark is registered according to the applicable rules in the country of origin only to be registered in another member state, the trademarks so registered would be independent from each other in terms of the dates of registration and subjection to the laws of each country of registration. Article 4 of WIPO further corroborates this principle according to which each person who duly files a legal application for the registration of a patent, utility model, or of an industrial design, or of a trademark, in one of the countries of the Union, or his successor in title, shall enjoy, for the purpose of filing in the other countries, a right of priority during the WIPO-fixed periods: twelve months (for patents and utility models) and six months (for designs, industrial prototypes, and trademarks) from filing the first application. For example, a person filing an application for the registration of a trademark in France, which is a WIPO Union member, enjoys the right to priority to register a similar trademark in Egypt if he files an application for a similar trademark within six months from the date of the first France-based application. As a result, any application in Egypt by any other person respecting the same trademark within the interval between the first application (in France) and the second application (in Egypt) would enjoy no priority in Egypt. A question has been raised that under the provisions of WIPO, will the protection for a trademark be removed in other Union countries if it terminates in the country of origin? WIPO answers this question to the effect that if a trademark is duly registered in the country of origin, it will remain independent and self-existing as long as it meets the requirements of domestic laws of the country of registration. Accordingly, nonregistration in the country of origin may not result in the removal of protection in Union member states (Al Qalyubei, Industrial Property, 2005). However, if the registration in the country of origin is renewed, no renewal would be required in other countries as the trademark in question is deemed independent and self-existing in each such country as of the date of registration. Domestic laws apply as well.

## Second: Protection of well-known trademarks under 1994 TRIPS

World Trade Organization (WTO) has been created in 1994, marking the most important international event after the creation of the United Nations (UN). Signing off the Agreement on Trade-Related of Intellectual Property Rights (TRIPS) marks by turn the most significant event in the field of intellectual property protection. TRIPS accounts for the second international convention, after WIPO, on protecting well-known trademarks. These facts stress the importance of protecting well-known trademarks on the international level. It is clear that TRIPS has used WIPO as a reference for many issues, particularly those relating to the protection of well-known trademarks. The second part of TRIPS provides for the standards on providing the protection for eight types of intellectual property rights (Article 1.2), with trademarks accounting for 6 out of 73 provision (Articles 15-21). TRIPS addresses well-known trademarks through Article 16, which provides,

1. The owner of a registered trademark shall have the exclusive right to prevent all third parties not having the owner's consent from using in the course of trade identical or similar signs for goods or services which are identical or similar to those in respect of which the trademark is registered where such use would result in a likelihood of confusion. In case of the use of an identical sign for identical goods or services, a likelihood of confusion shall be presumed. The rights described above shall not prejudice any existing prior rights, nor shall they affect the possibility of Members making rights available on the basis of use.
2. Article 6bis of the Paris Convention (1967) shall apply, *mutatis mutandis*, to services. In determining whether a trademark is well-known, Members shall take account of the knowledge of the trademark in the relevant sector of the public, including knowledge in the Member concerned which has been obtained as a result of the promotion of the trademark.
3. Article 6bis of the Paris Convention (1967) shall apply, *mutatis mutandis*, to goods or which are not similar to those in respect of which a trademark is registered, provided that use of that

trademark in relation to those goods or services would indicate a connection between those goods or services and the owner of the registered trademark and provided that the interests of the owner of the registered trademark are likely to be damaged by such use. (WorldTradeLaw, 2021)

The provisions quoted above indicate that TRIPS has advanced its provisions and come up with new provisions that were not provided for under WIPO considering the following points:

(a) Following explicit wording on a trademark owner's rights and the absolute right such an owner enjoys in respect of their trademark in addition to prohibited use of same without the owner's prior consent, Article 16 of TRIPS provides that "In case of the use of an identical sign for identical goods or services, a likelihood of confusion shall be presumed." (WorldTradeLaw, 2021, p. 8) In other words, TRIPS anticipates the potential harm that may afflict the owner once their trademark is used by a third party on identical commodities without the owner's consent. In that case, the well-known trademark owner would not be in need to substantiate the damage they sustained as a result of such a use.

(b) TRIPS provides for a universal guideline for all WTO members states to determine the well-known trademark concept. Article 16.2 provides that, "In determining whether a trademark is well-known, Members shall take account of the knowledge of the trademark in the relevant sector of the public, including knowledge in the Member concerned which has been obtained as a result of the promotion of the trademark." (WorldTradeLaw, 2021, p. 8) Accordingly, for a trademark to be proven well-known, the following must be considered first: (1) how well-known the trademark is among a large segment of the target audience (individuals who are concerned with the products, goods, or services bearing the trademark in question); and (2) the well-known-ness of the trademark in question across the relevant sector in the member state concerned (that is, where the protection is sought for the trademark) is the

outcome of promoting the trademark in it, taking into account that such "a promotion can be achieved by any other means that may bring out publicity; such as use, advertising, or any other means" (Assagheir H. , 2007, p. 13).

(c) TRIPS widens the scope of protection for well-known trademarks through prohibiting their use if they are registered on commodities or services nonidentical to those for which the trademarks are used for purposes of distinguishing. This prohibition applies where two conditions are met: (1) if the use of the well-known trademark on nonidentical commodities or services results in a belief that a relation does exist between those nonidentical commodities or services and the owner of the registered well-known trademark; and (2) if the use of the trademark on nonidentical commodities results in potential harm and damage to the trademark owner. These are the new provisions established by TRIPS in respect of well-known trademarks. Overall, these provisions mark a new value added to WIPO (Dwidar, 1996).

A question rises here: are these TRIPS additions and provisions sufficient? For an answer, I would say that the obligations set forth by TRIPS, and WIPO even earlier, are not sufficient. Rather, they are partially over-general and indefinite since both instruments have failed to set a definition of what a well-known trademark is. Nor have they set an accurate and decisive standard to judge whether a trademark is well-known, not to mention the lack of a definite scope of protection by either instrument. This requires more research, investigations, and discussions among and by member states to render these provisions more explicit and definite. This holds particularly true for developing countries that have already changed their domestic laws in light of the provisions of both instruments – especially those on the protection of well-known trademarks.

## 2. Protection of well-known trademarks under UAE legislations

UAE lawmakers ensured a special protection for trademarks via enacting strict punishments

against trademark violations. Registered trademarks also enjoy criminal protection as ensured by the Federal Law No 37 of 1992 on Trademarks and the Law No 40 of 1992 on the Protection of Intellectual Property Rights. Even if not registered, trademarks enjoy civil protection by means of allowing the filing, where applicable, of illegal competition claims (Qassim, 2009). Accordingly, the Federal Law No 37 of 1992 on Trademarks and the Law No 40 of 1992 on the Protection of Intellectual Property Rights have enshrined the principle of ensuring civil protection for trademarks as this form of protection further assures merchants and owners of important industrial trademarks to enjoy more stability and boosts foreign investments in the UAE. After all, they can rest assured that there is a legal system that is capable of protecting the trademarks and investors against potential infringements; particularly the course of claiming damages for the resulting harms of any such infringements. Besides, the governing rules of civil transactions apply as well. In light of the above, these forms of legal protection are further reviewed as follows:

First: Protection of trademarks under the Federal Law on Trademarks and the Federal Law on the Protection of Intellectual Property Rights

The UAE Law No 37 of 1992 on Trademarks provides that, "The perpetrators of any of the following felonies shall be punishable with imprisonment or a fine not exceeding five thousand (AED 5,000) Dirhams, or with both: (1) counterfeiting or imitating a trademark duly registered in a manner conducive to misleading the audience either in terms of commodities and services distinguished by the original or the resembling trademark; and so shall be punishable any person who knowingly uses a forged or counterfeit trademark; (2) malicious subscription to products of a registered trademark owned by a third party; or any undue use of such a trademark; or (3) any act of selling, offering to selling or trade, or holding in custody with the intent of selling, any products bearing forged, counterfeit, or illegally used trademarks, knowingly." (Economy, 2021) Penalties under said Law

range from allowing the trademark's owner the right to take certain precautionary measures to protect their right, to imposing original penalties on the infringing party followed by complementary punishments as further detailed below.

a. Precautionary measures for trademark protection.

The UAE laws allow trademark owners to pray the competent court for a court order to enforce precautionary measures as necessary to safeguard their rights (Courts, 2021), including: to pray the court for an order to stop infringement on a trademark, while requesting a detailed minutes of description and listing as well as a seizure against the designated items, and safeguarding the infringement evidence to submit them to the court as part of the civil or criminal case upon trademark owner's request. The UAE laws allows the competent court to hear any of the aforesaid requests and appoint one or more experts to assist in any precautionary seizure as may be ordered by the court. The trademark owner may pray the court to take any of the measures mentioned above in any time, even if before filing a legal action or during the hearing of the civil case or the penal case. This line of judicial protection may well contribute to the conservation and protection of trademark owners shortly. It further allows room for listing and gathering evidence and other proofs before an infringing party can hide them. Trademark owners are required by UAE laws, when filing all or some of these requests, to present a bank or financial guarantee as determined by the court, followed by the filing of a substantive lawsuit within eight days as of the date of the court's precautionary seizure order, failing which the precautionary seizure order will be void and legally unenforceable .

b. Original penalties:

The UAE Law No 37 of 1992 provides under Article 38 thereof for a punishment of imprisonment for a period not exceeding one year or a fine of at least five thousand (AED 5,000) Dirhams, or both, where any legally prohibited mark is used (Courts, 2021). Article 1 of the Federal Law on the Prohibition of

Cheating and Fraud provides that any act of deception or attempted deception against a contracting party in any manner concerning commercial matters, including -without limitation- the actual nature, qualities, characteristics, type, number, amount, capacity, caliber, weight, and/ or origin of the goods being sold; and so shall be fake discounts on the prices of commodities on sale during or beyond sale seasons (Al Meherei, 2007). The crimes set forth under Article 37 of the Law; namely, forging or counterfeiting trademarks, using a forged or counterfeit trademark, usurping a third party's trademark, criminal selling or offering to sell or trade, or possessing a trademark; are also punishable with imprisonment or a fine not exceeding five thousand (AED 5,000) Dirhams, or both (Al Meherei, 2007). As for the crimes set forth under Article 38 of the mentioned Law, namely, the crime of using illegitimate trademarks and that of faking the registration of a trademark, these are punishable with a maximum of one-year imprisonment or a fine not exceeding five thousand (AED 5,000) Dirhams (yet increasable to ten thousand (AED 10,000) Dirhams), or both. Article 39, however, addresses recidivist committing of the crimes provided for under Articles 37 and 38 of the Law. Accordingly, recidivism is punishable with the same penalties set forth under both Articles -imprisonment and fining- coupled with shutting down the place of business or the project for which the illegal use has been committed for a minimum of fifteen days, but not exceeding six months, as well as with promulgating the court ruling at the judgment-debtor's expense in accordance with the measures set forth in the Executive Regulations. Notably, there is no provision that may hold the judge back from ordering the seizure of the commodities or products involved in trademark-related crimes in addition to ruling for damages, if and where applicable (Al Qalyubei, 2005).

c. Complementary penalties:

In addition to the original penalties set forth under Articles 37 and 38 of the Law on Trademarks respecting trademark crimes as mentioned hereinabove, the Article No 43 of

the Law allows the competent court a discretionary authority to impose complementary penalties, namely: confiscation, destruction, and promulgation of the court ruling .

Confiscation:

The competent court may rule for the confiscation of the items seized under the abovementioned precautionary measures, including "the machinery and tools used, or being used, in committing any of trademark-related crimes; as well as any products and local or imported goods, store names, packaging material, papers or items bearing the trademark, and/ or the item constituting the subject matter of the crime. It is not a legal requirement for the ruling so handed down to include all criminal items. Rather, the ruling court may limit the scope of enforcement to some items, as applicable. Besides, the court may deduct the price of the confiscated material from the fines and damages incurred or may dispose with any such material as deemed fit by the court. Notably, the penalty of confiscation is left to the discretion of the court which may or may not use it" (Al Meherei, 2007, p. 169).

Destruction:

The court may rule for the destruction of illegal trademarks or, where applicable, the products, packaging material, handling equipment, and other trademark-bearing items or those bearing illegal information. The court may also rule for the confiscation of the machinery and tools specially used for forging. In case of ruling for innocence, the court may also rule for all of the above (Al Qissei, 2002). Of note is that a ruling for the destruction all or some of the items so seized is left to the ruling court's discretion. In other words, a destruction ruling is optional rather than binding. Clearly, ensuring the competent court the discretionary authority to act as elaborated above, judging by what it deems fit, is but a way to observe public interest. Where it is proven to the court that the condition of the seized items is of significant quality, the court should rather hand down a ruling for selling them and distributing the

revenues to those affected or the needy; or offering these revenues to charity organizations (Al Qissei, 2002).

#### Promulgation:

The court may order the promulgation of the court ruling at the judgment-debtor's expense in a news bulletin or a local Arabic newspaper. Undoubtedly, these penalties contribute to providing a high-level protection for trademark owners considering the deterring power they levy against infringers. This is how the deterioration of trademarks infringed upon can be limited in the eyes and minds of general consumers (Al Watidei, 2000). Accordingly, UAE lawmakers have set clear original and complementary penalties against trademark infringers with a view to protecting intellectual property rights domestically. Put differently, UAE lawmakers have adopted a comprehensive penal approach towards these crimes through both original and complementary punishments.

#### Second: Protection of trademarks under the Federal Law No 5 of 1985 on Civil Transactions

Damages claims are among the most prominent and important civil protection mechanisms for trademarks. Trademarks enjoy the same civil protection of all rights as per the Article 282 of the Civil Trademarks, which provides that, "any damage to another person shall be compensated for by the damage causing person, even if a minor" (trademark, 2021). This is why Article 40 of the Trademark Law provides that, "Any person who sustains damage as a result of any of the actions specified under Articles 37 and 38 hereof may file a case before the competent civil court to claim proportionate damages against the infringer" (trademark, 2021).

With the above in mind, Article 282 of the Civil Trademark Law and Article 40 of the Trademark Law provide a general rule that ensure protection for trademark owners by means of filing illegitimate competition claims. These claims may be filed by any persons sustaining damage as a result of forging, usurping, or counterfeiting a trademark – even if the damages-claiming party is not the

trademark owner. The same applies to a merchant who trades in a commodity bearing the trademark of a given industrial establishment but sustains damage because of a competitor's use of the forged/counterfeit trademark for that competitor's goods.

This civil protection is enjoyed by trademark owners in the face of any aggression on their rights – be they registered or unregistered trademarks. In case of a nonregistered trademark, civil protection would serve as the only means of protection against material or moral damage that may be sustained by the owner (Al Watidei, 2000). If registered, however, the criminal protection afforded to the trademark by virtue of the Law No 37 of 1992 does not preclude seeking damages by the trademark owner before criminal or civil courts. Where a damages claim is filed before the civil or criminal court, they will be subject to standard rules in respect of merits (Al Qalyubei, Industrial Property, 1998).

The importance of ensuring civil protection for registered trademarks is paramount where the requirements of a criminal claim are not met. The criminal penalties for infringing on trademark rights require (for some crimes) specific mens rea (criminal intent). Where an infringement is proven and tried up to a ruling for innocence on the grounds of lack of criminal intent, the ruling for innocence may not preclude a ruling for damages in favor of the trademark owner on the grounds of the actus reus (guilty act) already committed. This applies regardless of whether the infringement is purposeful or not because the damages-based liability in this case is founded on the guilty act per se – criminal forgery of all forms.

#### Conclusion

It can be now concluded that protecting well-known trademarks under international legislations; namely, TRIPS and WIPO, are not sufficient, even featuring cases of overgeneralization and lack of definiteness. Both instruments have failed to define what a well-known trademark is. Besides, they have also failed to establish a clearly precise

criterion to designate a trademark as well-known. Nor have they set a crystal-clear scope of protection. Therefore, the researcher recommends that more investigations, studies, and discussions are needed among the member states to introduce better provisions in terms of definiteness and clarity. It is also recommended that the provisions hoped for should be better coping with the developments of well-known trademarks worldwide. As for the provisions of UAE laws on trademarks, those provisions adopt an integrated penal approach to address criminal infringements on trademarks, including original penalties and complementary penalties. These are further coupled with the rules set forth under the Law on Civil Transactions by allowing the damage-sustaining party to charge the damages so sustained to the infringing party whether the trademark infringed is well-known or not. UAE lawmakers have recommended the establishing for stricter rules to apply to infringements on well-known trademarks considering their worldwide fame and importance.

## References

- [1] Abdullah, M. H. (2011). Key Provisions on Intellectual Property Rights. Sharjah: Al Afaq Al Mushreqah.
- [2] Al Ahmer, K. (2004). The National WIPO Forum on the University of Jordan's Faculty Member's and Student's Intellectual Property. Amman: WIPO.
- [3] Al Meherei, K. M. (2007). Intellectual Property Encyclopedia. Georgetown: International Law Institute.
- [4] Al Qalyubei, S. (1998). Industrial Property. Cairo: Dar Annahdhah Al Arabiyyah.
- [5] Al Qalyubei, S. (2005). Industrial Property. Cairo: Dar Annahdhah Al Arabiyyah.
- [6] Al Qissei, A. Q. (2002). Legal Protection for Consumers. Amman: Addar Al Elmiyyah wa Athaqafiyyah.
- [7] Al Watidei, Q. (2000). General Theory on Trade Law in Light of UAE Trademark Law. Emirates University Publications, 569.
- [8] Assagheir, H. (2007, Jnuary 7). International Protection of Industrial Property Rights from WIPO to TRIPS. Retrieved from WIPO: [https://www.wipo.int/meetings/ar/doc\\_details.jsp?doc\\_id=82600](https://www.wipo.int/meetings/ar/doc_details.jsp?doc_id=82600)
- [9] Assagheir, H. A. (2004). Developments of Trademarks, New Intellectual Property Rights Law, and TRIPS. Cairo: Dar Al Fekr Al Arabeii.
- [10] Barbarei, M. A. (2009). Commitment to Use New Inventions. Cairo: Dar Al Fekr Al Arabeii.
- [11] Courts, A. D. (2021, September 13). Judicial Department. Retrieved from UAE Courts: [https://courts.rak.ae/Shared%20Documents/Lawsanddecisions/FederalLawNo\\_11\\_of%20\\_1992\\_regarding\\_the\\_Civil.pdf](https://courts.rak.ae/Shared%20Documents/Lawsanddecisions/FederalLawNo_11_of%20_1992_regarding_the_Civil.pdf)
- [12] FA: Hersh F. Mahmood, Hooshang Dabbagh, Azad A. Mohammed, Comparative study on using chemical and natural admixtures (grape and mulberry extracts) for concrete, Case Studies in Construction Materials, Volume 15, 2021,
- [13] Kumar, S. (2022). A quest for sustainium (sustainability Premium): review of sustainable bonds. Academy of Accounting and Financial Studies Journal, Vol. 26, no.2, pp. 1-18
- [14] Allugunti, V.R. (2019). Diabetes Kaggle Dataset Adequacy Scrutiny using Factor Exploration and Correlation. International Journal of Recent Technology and Engineering, Volume-8, Issue-1S4, pp 1105-1110.
- [15] Dwidar, M. (1996, June 25). The International Agreement on Liberation of International Trade and Legal Systems in Arab Countries. Jordanian Bar Journal, p. 1277.
- [16] Economy, U. M. (2021, August 3). MoE's Laws and Regulations. Retrieved from Ministry of Economy: [https://www.moec.gov.ae/en/federal-law-no-37-of-1992-concerning-trademarks?p\\_1\\_back\\_url=%2Fweb%2Fguest%2Fsearch-results%3Fq%3D%26delta%3D40%26star%3D12](https://www.moec.gov.ae/en/federal-law-no-37-of-1992-concerning-trademarks?p_1_back_url=%2Fweb%2Fguest%2Fsearch-results%3Fq%3D%26delta%3D40%26star%3D12)
- [17] Portal, W. I. (2021, October 10). World Intellectual Property Organization (WIPO) . Retrieved from Paris Convention for the Protection of Industrial Property: <https://wipolex.wipo.int/en/text/288514>
- [18] Qassim, A. S. (2009). Intellectual Property Rights in UAE Laws: A Comparative



- Study. Cairo: Dar Annahdhah Al Arabiyyah.
- [19] trademark. (2021, September 7). Dubai Trademark Register. Retrieved from Dubai Trade Mark Office: [https://trademarks.ae/?gclid=CjwKCAiA1aiMBhAUEiwACw25McSHIZPzbA60E-BdryZS7l6JZp0IJ3e-fs47TXZjdGsZh8epxCo-MBoC0r8QAvD\\_BwE](https://trademarks.ae/?gclid=CjwKCAiA1aiMBhAUEiwACw25McSHIZPzbA60E-BdryZS7l6JZp0IJ3e-fs47TXZjdGsZh8epxCo-MBoC0r8QAvD_BwE)
- [20] WorldTradeLaw. (2021, July 2). AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS. Retrieved from WorldTradeLaw.com: <https://www.worldtradelaw.net/document.php?id=uragreements/tripsagreement.pdf>