

WORLD TRADE ORGANIZATION

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**Working Party on the Accession
of the Kingdom of Saudi Arabia**

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ACCESSION OF THE KINGDOM OF SAUDI ARABIA

Action Plan for the Implementation of the TRIPS Agreement

The Ministry of Commerce of the Kingdom of Saudi Arabia has submitted the following Action Plan for the Implementation of the TRIPS Agreement.

Action Plan for the Implementation of the TRIPS Agreement

TRIPS (Copyright)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
<ul style="list-style-type: none"> - Copyright Law is in force since 1990. - The foreign authors enjoyed the copyright protection after 13/7/1995 when the Kingdom became a UCC member. - The IPR Technical Committee and the WIPO experts independently had identified points of conformity and nonconformity with TRIPS requirements. - The first draft of COPYRIGHT LAW amendment is currently under preparation. 	<ul style="list-style-type: none"> - Review of the draft amendment by the IPR Technical Committee and WIPO experts. - Selection of additional manpower. 	<ul style="list-style-type: none"> - Review of the draft amendment by the Bureau of Experts at the Council of Ministers to ensure harmonization with other national laws. - Circulation of the draft amendment by the Bureau to all government departments for their comments and modify the draft accordingly in consultation with the Ministry of Information. - Hiring of additional manpower. - Training of the staff. - Open additional branches at Kingdom entrances and main cities. 	<ul style="list-style-type: none"> - Review of the modified draft amendment by the Consultative Council. - Approval of the amended Copyright Law by the Council of Ministers. - Enactment by a Royal decree. - Prepare implementing regulations and guidelines. - Continue the manpower training. 	<ul style="list-style-type: none"> - Finalize implementing regulations and guidelines. - Enactment of these regulations by the Minister of Information. - Prepare texts of amendments and implementing regulations for dissemination to start the implementation. - Continue the manpower training. - Open additional branches at Kingdom entrances and main cities. 	<ul style="list-style-type: none"> - Incorporate the amended law and implementing regulations in the office system and start implementation. 	

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
		- Supply offices with additional needed hardware and network.				

TRIPS (Trademarks)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
<ul style="list-style-type: none"> - The Trademarks Law is in force since 1984. - Points of conformity and non-conformity with the TRIPS obligations have been identified by the IPR Technical Committee AND WIPO experts independently. - First draft of amendments is currently under preparation. 	<ul style="list-style-type: none"> - Review of the draft amendment by the IPR Technical Committee and WIPO expert. 	<ul style="list-style-type: none"> - Review of the draft amendment by the Bureau of Experts at the Council of Ministers to ensure harmonization with other national laws. - Circulation of the draft amendment by the Bureau to all government departments for their comments and modify the draft accordingly in consultation with the Ministry of Commerce 	<ul style="list-style-type: none"> - Review of the modified draft amendment by the Consultative Council. - Approval of the amended Trademarks Law by the Council of Ministers. - Enactment by a Royal decree. - Prepare implementing regulations and guidelines. 	<ul style="list-style-type: none"> - Finalize implementing rules, regulations and guidelines. - Enactment of these rules and regulations by the Minister of Commerce. - Prepare texts of amendments, rules and regulations for dissemination to start the implementation. 	<ul style="list-style-type: none"> - Incorporate the amended law, rules and regulations in the office system and start implementation. 	

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
	<ul style="list-style-type: none"> - Selection of additional manpower. 	<ul style="list-style-type: none"> - Hiring of additional manpower. - Conduct first phase of training for the new staff. - Supply offices with additional needed hardware. - Public awareness seminar. 	<ul style="list-style-type: none"> - Upgrade the database of the Trademarks office. - Establish linkage with Customs and other related government bodies. - Selection of additional manpower. - Continue training. 	<ul style="list-style-type: none"> - Start setting up of two new branch offices in East and West Provinces. - Hiring of additional manpower for the new offices. - Conduct first phase of training for the new staff, and - Additional training for old staff. 	<ul style="list-style-type: none"> - Link the new branches with the main office in Riyadh and start them running in proper order. - Public awareness seminar. 	

TRIPS (Patents)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
<p>- The Patent Law already operative since 1989.</p> <p>The IP Technical Committee and the WIPO experts independently had identified points of conformity and non- conformity with TRIPS.</p> <p>- Review and redrafting of the Law had been started by a Working Group within KACST.</p>	<p>- Continue and finalizing the amendments of the Law by the said Working Group.</p> <p>- Selection and hiring additional manpower.</p> <p>- Supplying with additional needed hardware.</p> <p>- Conduct condensed training for new and other staff.</p>	<p>- Reviewing of draft amended Law by the Bureau of Experts (Council of Ministers) to ensure a harmony with other national laws.</p> <p>- Circulation of the draft Law to all government departments for comments.</p> <p>- Selection and hiring additional manpower. Continue training for new and other staff.</p> <p>- Public awareness activities.</p>	<p>- Reviewing and approval of the modified draft Law by the Consultative Council.</p> <p>- Drafting Implementing Rules, Regulations and Guidelines.</p> <p>- Upgrading the database of patents.</p> <p>- Hiring additional manpower.</p> <p>- Continue training for new and other staff.</p> <p>- Public awareness activities</p>	<p>- Approval of the amended Patents Law by the Council of Ministers.</p> <p>- Enactment of the Law by a Royal Decree.</p> <p>- Continue drafting the Implementing Rules, Regulations and Guidelines.</p> <p>- Continue upgrading the database of patents.</p> <p>- Selection and hiring additional manpower.</p> <p>- Continue training for new and other staff.</p> <p>- Public awareness activities.</p>	<p>- Finalizing the Implementing Rules, Regulations and Guidelines.</p> <p>- Modifying Forms. Continue training for new and other staff.</p> <p>- Public awareness activities</p>	<p>- Enactment of Rules and Regulations by KACST.</p> <p>- Incorporate the amended Law, Rules and Regulation in the system and start implementation.</p> <p>- Publication of the Law, Rules and Regulations.</p>

TRIPS (Geographical Indications)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
<ul style="list-style-type: none">- Protection for Geographical Indications is not incorporated in the Trademark Law, and in the Law to combat Commercial Fraud, both implemented by the Ministry of Commerce.- Provisions related to the protection of Geographical Indications are found to be in conformity with the TRIPS obligations.- Protection of appellations of Origin for wine and spirits is not provided, such protection is prohibited by Islamic rules.						

TRIPS (Industrial Designs)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	1st & 2nd half 2002
<ul style="list-style-type: none"> - No Law at present. - Authorization of KACST as responsible for drafting and administering the Law. - A draft Law - not fully in conformity with TRIPS – has been previously formulated. - Points of unconformity have been identified by KACST. - A Working Group to redraft the Law has been established within KACST. 	<ul style="list-style-type: none"> - Redrafting the proposed Law will be finalized by the said Working Group to be consistence with TRIPS. - Selection and hiring needed manpower. - Conduct condensed training for new staff. 	<ul style="list-style-type: none"> - Review of the draft Law by the Bureau of Experts (Council of Ministers) to ensure a harmony with other national laws. - Circulation of draft Law to government departments for comments. - Drafting Implementing Rules, Regulations and Guidelines. - Hiring additional manpower. - Conduct training for new staff. - Supply with additional needed hardware. 	<ul style="list-style-type: none"> - Review of the drafted Law by the Consultative Council. - Continue drafting Implementing Rules, Regulations and Guidelines. - Establishing needed database of the Industrial Designs applications. - Hiring additional manpower. - Continue training. - Public awareness activities. 	<ul style="list-style-type: none"> - Approval of the Industrial Designs Law by the Consultative Counsel - Continue drafting Implementing Rules, Regulations and Guidelines. - Hiring additional manpower. - Conduct training for the new staff - Additional training for other staff. - Public awareness activities. 	<ul style="list-style-type: none"> - Approval of the Industrial Designs Law by the Council of Ministers - Enactment of Law by a Royal decree. - Finalize drafting Implementing Rules, Regulations and Guidelines. - Prepare needed Forms. - Additional training for other staff. - Public awareness activities. 	<ul style="list-style-type: none"> - Enactment of Rules and Regulations by KACST. - Incorporate the new Law, Rules and Regulations in the system and start implementation - Publication of the Law, Rules and Regulations. - Public awareness activities.

TRIPS (Plant Varieties)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	1st half 2002	2nd half 2002
<ul style="list-style-type: none"> - No Law at present. Authorization of KACST as responsible for drafting new Law and administering this activity. - A Working Group to fulfil this obligation has been established within KACST. - The Working Group discussed the legal alternatives of providing the protection. - UPOV Model Law has been reviewed. 	<ul style="list-style-type: none"> - Deciding for drafting a Law or alternatively adding new Articles to the Patents Law. - Consulting the Ministry of Agriculture and Water on the issue. - Consulting more experts on the issue. - Starting drafting the Law. 	<ul style="list-style-type: none"> - Continue drafting the Law. - Determining manpower and other needs. - Selection and hiring needed manpower. - Conduct training 	<ul style="list-style-type: none"> - Sending the Draft Law to the Council of Ministers. - Review of the Draft Law by the Bureau of Experts (Council of Ministers) to ensure harmony with other national laws. - Selection and hiring manpower. - Conduct training - Supply Office with needed hardware. - Public awareness activities. 	<ul style="list-style-type: none"> - Circulation of the Draft Law by the Bureau to all government departments for their comments. - Prepare Implementing Rules, Regulations and Guidelines. - Continue supplying Office with needs. - Public awareness activities. 	<ul style="list-style-type: none"> - Review of the draft Law by the Consultative Council. - Continue preparing Implementing Rules, Regulations and Guidelines. - Establish administrative database of the plant varieties applications - Hiring manpower. - Continue training - Public awareness activities. 	<ul style="list-style-type: none"> - Continue Review of the draft Law by the Consultative Council. - Finalize Implementing Rules, Regulations and Guidelines. - Prepare needed Forms. - Hiring manpower. - Continue training - Public awareness activities. 	<ul style="list-style-type: none"> - Approval of the Plant Varieties Law by the Council of Ministers. - Enactment by a Royal decree. - Enactment of Rules and Regulations by KACST. - Publication of the Law, Rules and Regulations. - Incorporate the Law, Rules and Regulation in the system and start implementation. - Public awareness activities.

TRIPS (Layout Designs of Integrated Circuits)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	1st half 2002	2nd half 2002
<ul style="list-style-type: none"> - No Law at present. - Authorization of KACST as responsible for drafting new Law and administering this activity. - A Working Group to fulfil this obligation has been established within KACST. - Upon request, a proposed Layout Designs Law has been drafted by WIPO. 	<ul style="list-style-type: none"> - Consulting more experts on the issue. - Reviewing the WIPO proposed law. - Deciding for drafting a Law or alternatively adding new Articles to the Patents Law. - Starting drafting the Law. 	<ul style="list-style-type: none"> - Continue drafting the Law. - Determining manpower and other needs. - Selection and hiring needed manpower. - Conduct training 	<ul style="list-style-type: none"> - Completing the drafting of Law. - Sending the Draft Law to the Council of Ministers. - Review of the Draft Law by the Bureau of Experts (Council of Ministers) to ensure a harmony with other national laws. - Selection and hiring manpower. - Conduct training - Supply Office with needed hardware. 	<ul style="list-style-type: none"> - Circulation of the Draft Law by the Bureau to all government departments for comments. - Prepare Implementing Rules, Regulations and Guidelines. - Continue supplying Office with needs. - Public awareness activities. 	<ul style="list-style-type: none"> - Review of the draft Law by the Consultative Council. - Continue preparing Implementing Rules, Regulations and Guidelines. - Establish administrative database of the layout designs applications - Hiring manpower. - Continue training. - Public awareness activities. 	<ul style="list-style-type: none"> - Continue Review of the draft Law by the Consultative Council. - Finalize Implementing Rules, Regulations and Guidelines. - Prepare needed Forms. - Hiring manpower. - Continue training. - Public awareness activities. 	<ul style="list-style-type: none"> - Approval of the Layout Designs Law by the Council of Ministers. - Enactment by a Royal decree. - Enactment of Rules and Regulations by KACST. - Publication of the Law, Rules and Regulations. - Incorporate the Law, Rules and Regulation in the system and start implementation. - Public awareness activities.

TRIPS (Undisclosed Information)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
<ul style="list-style-type: none"> - The protection of undisclosed information is covered by Islamic Rules and certain specific Laws, such as the companies Law, Patent Law. - A proposal Law of Unfair Competition is currently under review by the Ministry of Commerce. It contains provisions related to the protection of trade secrets. 	<ul style="list-style-type: none"> - Review of the draft law by the IPR Technical Committee and WIPO experts. 	<ul style="list-style-type: none"> - Review of the draft law by the Bureau of Experts at the Council of Ministers to ensure harmonization with other national laws. - Circulation of the draft law by the Bureau to all government departments for their comments and modify the draft accordingly in consultation with the Ministry of Commerce. 	<ul style="list-style-type: none"> - Review of the draft law by the Consultative Council. - Approval of the draft law by the Council of Ministers. - Enactment by a Royal decree. - Prepare implementing regulations and guidelines. 	<ul style="list-style-type: none"> - Finalize implementing regulations and guidelines. - Enactment of the regulations by the Minister of Commerce. - Prepare texts of the law and implementing regulations for dissemination to start the implementation. 	<ul style="list-style-type: none"> - Incorporate the new law, and implementing regulations in the office system and start implementation. - Continue Training. 	

TRIPS (Enforcement/Border Measures)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
	<ul style="list-style-type: none"> - Draft Customs procedures towards implementation. - Enquire from WCO, WTO and WIPO about nature of technical assistance that can be obtained. 	<ul style="list-style-type: none"> - Finalizing Customs procedures for implementation. - Provide technical supplies needed by the Restriction Department. - Training the supervisors to become instructors for the Department personnel. - Visit some countries to gain application experience. - Start establishing database for IP at the Restriction Department. - Activate cooperation with international organizations. 	<ul style="list-style-type: none"> - Training of manpower. - Provide technical supplies. - Conduct a trial application program for the IP staff. - Establish links with the government agencies concerned. 	<ul style="list-style-type: none"> - Continue training. - Provide additional technical supplies. - Start trial applications of amended laws i.e. Copyright, Patents and Trademarks Laws. 	<ul style="list-style-type: none"> - Start implementation of the amended laws i.e. Copyright, Patents and Trademarks Laws. 	<ul style="list-style-type: none"> - Start implementation of the other TRIPS related laws approved nationally.

TRIPS (Enforcement/Legal)

Action Already Taken	2nd half 1999	1st half 2000	2nd half 2000	1st half 2001	2nd half 2001	2002
<p>The General Bureau of Grievances reviews disputes related to trademarks and considers appeals against decisions made by Committees of jurisprudence referred to in :</p> <ul style="list-style-type: none"> - Patent Law. - Copyright Law. 	<ul style="list-style-type: none"> - Review of amendments to TRIPS related regulations once they are referred to the Bureau by authorities concerned. - Review draft new regulations with a view to implement the Agreement. 	<ul style="list-style-type: none"> - Review of amendments to TRIPS related regulations once they are referred to the Bureau by authorities concerned. - Review draft new regulations with a view to implement the Agreement. - Appointment of additional judges. - Appointment of additional support staff. 	<ul style="list-style-type: none"> - Review of amendments to TRIPS related regulations once they are referred to the Bureau by authorities concerned. - Review draft new regulations with a view to implement the Agreement. - Training of judges and support staff. 	<ul style="list-style-type: none"> - Appointment of additional judges. - Appointment of additional support staff. 	<ul style="list-style-type: none"> - Training of judges and support staff. 	<ul style="list-style-type: none"> - Implementation of all approved IPR laws, new and revised.