

# **Qatar the 143rd PCT Contracting State**

Bassam Salah Alazzeah  
b.alazzeah@tamimi.com

On 3rd May 2011, Qatar deposited its instrument of accession to the Patent Cooperation Treaty (PCT), and on 3rd August 2011, will become bound by the PCT. Consequently, Qatar came to be the 143rd PCT Contracting State.

Along with Qatar, there are now eleven Arab member states in the PCT. Along with Qatar, these are Algeria, Bahrain, Egypt, Libya, Morocco, Oman, Sudan, Syria, Tunisia and the United Arab Emirates.

Qatar issued its first patent law in 2006 by Decree Law No. 30 for 2006. The Ministry of Economy and Commerce is entitled to enforce this law, however this law has not yet come into force and there are no implementing regulations and no active patent office.

The Qatari patent law grants patents a term of protection for 20 years as from the grant date in Qatar, which looks a long term compared to the other PCT contracting states. The same law provides protection for all sorts of technologies, except the following:

- Scientific theories, mathematical methods, computer programs, perform metal activities and games.
- Plant varieties, animal species, or biological methods of producing plants or animals. Exceptions shall be allowed for the microbiological methods and their products.
- Diagnostic methods, treatments, and surgical operations needed for humans and animals.

The patent law grants owners of infringed patents civil and criminal remedies in addition to provisional measures. The penalty for any person who may infringe a patented invention can be imprisonment up to two years and/ or a fine of up to 10,000 Qatari Riyal. The court may also order the confiscation of items 'attached' at the time the action was initiated or subsequently confiscated. The court may also order that the evidence of the illegal act, as well as the equipment and tools used in the infringement, be destroyed.

Despite the fact that there is no active patent office in Qatar, both nationals and residents in Qatar have the advantage to file international patent applications under the PCT as from 3 August 2011, by submitting their applications to any PCT Receiving Office (such as the International Bureau in Switzerland).

Clients who wish to obtain patent protection in Qatar may rely on the Gulf Cooperation Council (GCC) patent office, as the protection of GCC patents is extended to all member states of the GCC, namely, Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates.