

MENA regions Top 50 brands: A protected brand is an effective brand

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Much of today's advertising is defined by the use of distinct and unique brands that resonate in the minds of consumers.

It is this brand association that most corporations rely on in order to maintain the goodwill associated with their name. Since brand association is a crucial catalyst for a corporation's growth, corporations want to build up brand association as much as possible to earn market share.

In order to maintain a strong and consistent corporate identity, corporations with well-known brands are faced with the daily challenge of stopping third parties from infringing their brands, designs, and trademarks. In other words, they must prevent third parties from "piggy-backing" on their brands hard-won reputation. The strongest form of protection for a brand is by registering the trademark or design element. A trademark helps identify and distinguish the products or services of one trader from all the other traders. To this end, Federal Law No. 37 of 1992 on Trademarks and as amended by Federal Law No. 8 of 2002. states:

(2) The following shall be considered a trade mark:

Names, words, signatures, letters, numbers, drawings, symbols, addresses, hallmarks, stamps, pictures, vignettes, notices, packages or any other mark or combination of marks having a distinctive form and used or meant to be used in distinguishing goods or products of whatever origin, or in showing that the goods or products are owned by the owner of the trade mark because he manufactured it or selected it or traded in it, or rendered a service under it.

A sound shall be considered part of the trade mark if it was accompanying it.

Therefore a brand containing words, designs, letters, numerals and even a slogan can satisfy the test of trademark, so long as the proposed trademark is distinguishable from others in the market. The challenge faced by most corporations is that they are unaware of what may be subject to intellectual property right protection. Legal advice is necessary to determine whether a brand or a newly developed concept can be subject to registered rights. Protecting a brand owner's right is important, but it is equally important to ensure that the brand owner is not infringing on another's right. Once a brand has been selected it is necessary to proceed with the necessary due diligence (such as trademark searches) to determine whether another business is using or trading under the same or similar brand.

Corporations operating in the Middle East recognize the "power of the brand" and a large portion of their annual budget is invested into marketing, branding and protecting their ideas. To this end the UAE has emerged as the MENA regions top-brand building country, with Saudi Arabia coming in second. In the report released by Brand Finance and Gulf Marketing review, out of the 50 top regional brands, 15 out of those belong to the UAE. According to the study, the value of UAE brands accounts for 37% of the total value of \$39.33 billion of the top 50 MENA brands. Emirates Airlines leads the list with a brand value of \$4 billion, followed by Etisalat comprising of a brand value of \$3.4 billion. The top five brands are as follows:

[image src="http://www.tamimi.com/en/media/get/20131022_Screen-shot-2013-10-08-at-2.04.11-PM.png" class="__image__" imageId="2503"]

According to a special report prepared by Thomson Reuters and released in 2012, the UAE, Saudi Arabia, Jordan and Egypt were amongst the top trademark publishing countries in the Middle East. Overall the study reports a 600% increase over the last 22 years.

These two reports show that with regional brand development, corporations have become more aware of protecting their developed ideas. Although the MENA region is still in the developing stages of building its own brands, there has been some tremendous growth in the past years, and top brands such as Emirates and Etisalat are well underway in becoming global brands. Much like the top worldwide brands and their western counterparts, the common thread among these Middle Eastern corporations is that they all have a unique brand, either a trademark, design or even a catchy slogan that immediately sets off a trigger in the consumer's mind. They have also taken measures to register and protect their brands to prevent third parties from taking advantage of them.

For a complete list of the top 50 brands in the MENA region please visit http://brandfinance.com/images/upload/gmr_article_final.pdf