

Launch of Saudi IP Authority

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The KSA National Council of Minister's ('Council') establishment of a new Saudi Authority for Intellectual Property ('SAIP') marks a new milestone achievement in KSA's era of innovation and development. The Council announced the SAIP's establishment in the first quarter of last year; however, its vision and mission required further elaboration at the time. Nonetheless, the SAIP's establishment forms one of the initiatives of the Trade and Investment System within the National Transformation Program 2020. The Trade and Investment System had worked to bring SAIP into existence and paved the way for the regulatory framework for the SAIP to formulate its objectives, which the SAIP now aims to achieve.

Even though the SAIP is now officially established, the SAIP has yet to effectively launch its activities, as much of its plans, structuring and functions remain a work in progress. This article examines the recent activities of the SAIP, which aim to have the SAIP operational by the start of 2019.

What is the SAIP exactly?

SAIP is a public body the sole mission of which will be to regulate, promote and protect intellectual property ('IP') rights in KSA. A different group of government ministries and institutions with a broad set of missions beyond IP are presently sharing these responsibilities. For instance, the Ministry of Commerce and Investment is currently in charge of all trademark matters while the Ministry of Culture and Information oversees copyrights. On the other hand, the King AbdulAziz City for Science and Technology is solely responsible for patents, industrial designs and plant varieties. The SAIP's establishment aims to consolidate and centralise the various regulatory functions, which span the different forms of IP within one authority. This consolidation/centralisation will bring together the different IP forms under one umbrella of supervision that in turn will allow for a better, more efficient and effective framework for IP protection.

SAIP workshop

To better clarify its scope of authority and mission objectives, the SAIP, in September 2018, held a workshop in cooperation with the Saudi Bar Association. The workshop planned to discuss the newly established role and its preliminary plans to protect IP in KSA. To this end, the SAIP invited several government bodies, law firms (including Al Tamimi & Company) and IP firms to this workshop with the aim of obtaining their feedback and comments on various IP related topics. These topics included patents, industrial designs, trade marks, copyright, neighbouring rights and plant varieties, as well as the future directions and plans of the SAIP. During the workshop, the SAIP clarified to all attendees that it was working according to a specific timeframe, to form an international advisory board for IP issues and to be the centralised authority with the mandate to govern all forms of IP in KSA.

At the workshop, the SAIP also introduced two of its new departments, which will have a significant role in KSA:

- IP Academy: aims to be the first educational and training centre in KSA in the IP field; and
- IP Clinic: aims to be the first consultancy and research centre in the KSA in the IP field.

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Key responsibilities

Among the key responsibilities entrusted to the SAIP is the development and execution of a national IP strategy. Once approved, this strategy will set out the roadmap, work plans and time schedules for proposing, adopting and enforcing, in coordination and cooperation with the relevant authorities, new/modernised rules/regulations in respect of IP rights. In this respect, SAIP’s strategic goals will include but are not limited to:

- developing/modernising KSA’s IP laws and implementing regulations;
- providing high quality and efficient level of IP services in accordance with best practice principles and international standards;
- raising awareness of the value of IP rights across KSA;
- encouraging and supporting incubating settings for the development of an IP ecosystem in KSA;
- providing IP information and supporting the commercialisation and utilisation of IP;
- collaborating closely with enforcement agencies to protect IP; and
- cooperating with IP regional and international organisations to promote KSA’s IP interests abroad.

To help achieve the above goals, the SAIP recently signed two significant Memorandums of Understanding with the South Korean Intellectual Property Office and the United States Patent and Trademark Office. The Memorandums establish a general framework for IP cooperation between the parties according to each country’s laws. The Memorandums propose to promote equality and mutual benefits between them as well as encourage exchange visits between specialists to discuss the technical and legal aspects related to the development and improvement of IP related work.

The Authority also launched an official website as well as social media accounts. The website saip.gov.sa and @saipksa account are in line with the its plan to raise awareness and knowledge about the importance of IP as part of Vision 2030.

Going forward, on a global level, the SAIP will also represent KSA in international and regional IP conferences and organisations. Additionally, the SAIP will be in charge of following up on KSA's implementation of its obligations under international IP related conventions, to which KSA has acceded.

Conclusion

We are excited about these major steps in the field of IP in KSA. Although several areas of IP under the remit of the SAIP require further clarification, including enforcement and adjudication, the steps the SAIP is currently taking are quite promising. The launch of the SAIP's operations will develop and better regulate the IP field, which will in turn help boost and improve the business environment. The SAIP's activities will promote and protect the valuable work of small and medium enterprises and foster creativity and innovation among the Saudi youth. These developments will undoubtedly stimulate the knowledge economy and enhance foreign investment in KSA.

Al Tamimi & Company's [Intellectual Property team](#) regularly advises on IP protection in the KSA. For further information please contact [Bachir A Chakra \(b.chakra@tamimi.com\)](mailto:b.chakra@tamimi.com).