

**Saudi Arabia's Accession to the World Trade Organization (WTO)
WTO Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS)**

The Kingdom of Saudi Arabia has committed to fully implement the TRIPS Agreement upon accession to the WTO without any transition period, and now adheres to several international intellectual property agreements, including the Paris and Berne Conventions. Saudi Arabia has completely overhauled and modernized its legislative framework and administrative infrastructure for the protection of intellectual property rights to bring them into compliance with the TRIPS Agreement. The following new intellectual property laws and regulations were enacted in the course of Saudi Arabia's WTO accession process:

- Copyright Law (30 August 2003)
- Copyright Law Implementing Regulations (29 May 2004)
- Law on Patents, Layout Designs of Integrated Circuits, Plant Varieties and Industrial Designs ("New Patent Law") (17 July 2004)
- "New Patent Law" Implementing Regulations (26 December 2004)
- Trademarks Law (7 August 2002)
- Trademarks Law Implementing Regulations (2005)
- Border Measures Regulations (3 July 2004)
- Rules of Protection of Trade Secrets (including protection for pharmaceutical and agricultural chemical test data) (2005)

Saudi Arabia is committed to strengthening the enforcement of these laws and regulations by its courts and the responsible administrative government agencies, and to protecting the intellectual property rights of U.S. and other foreign companies and individuals in Saudi Arabia.

Saudi Arabia confirmed that the copyright law and regulations currently in force in Saudi Arabia provide the following: (1) protection for news reports, excluding only news facts; (2) a reproduction right to the full extent required by Berne Article 9 (which includes digital reproduction); (3) protection for pre-existing foreign works if they have not yet fallen into the public domain in the country of origin through the expiry of term of protection; (4) a point of attachment for foreign sound recordings; (5) a definition of "works" that includes sound recordings; (6) broadcasting and rebroadcasting rights that comply fully with Berne Article 11bis; and (7) parallel commercial export and import protection, as exportation and importation of copies not authorized for distribution in Saudi Arabia is deemed to be infringement.

The Patent Office in Saudi Arabia has taken measures to address the backlog of pending applications, including significantly increasing the number of patent examiners, utilizing search and examination reports, as well as granted patents issued by other offices, and expects to clear its backlog by the end of 2006.

Saudi Arabia had committed to protecting pharmaceutical and agricultural chemical test data submitted to obtain marketing approval against unfair commercial use for a period of 5 years from the date of approval, and will not register a generic form of a pharmaceutical when a patent application is on file, unless the invention in the application is not patentable.

Saudi Arabia's WTO accession process has resulted in dramatic improvements in its laws and regulations for the protection of intellectual property rights in Saudi Arabia.

September 9, 2005