

Patent Regulations
Official Gazette No. 4522 dated 13.12.2000
We Abd Allah the Second Ibn El Hussien
King of the Hashemite Kingdom of Jordan Pursuant to Article (31)
of the Constitution and what was Decided by the Council of
Ministers on November 6, 2001 Order that the following regulation be applied:
Regulation number (97) for the year 2001 Patent
of invention regulations issued pursuant to article
(38) of the patent law number (32) for the year 1999

Article 1

This regulation shall be called (regulation of patents of invention for the year 2001) and shall take effect starting from its publication date in the official gazette.

Article 2

The following words wherever they appear in this regulation shall have the meanings assigned to them herein below unless the context of the texts necessitates otherwise.

The law: The patent law

The office: The office of the Registrar of patents

The agent: The agent of registration of industrial property who is registered pursuant to the provisions of this regulation or the lawyer who is registered in the register of practicing lawyers .

Article 3

The fees for the transactions affected pursuant to the provisions of the law and this regulation shall be charged according to the schedule present in the first annex which shall be considered as an integral part thereof.

Article 4

)a) The forms referred to in this regulation shall be adopted according to the formats appearing in the second annex of this regulation. The Registrar shall have the right at any time to amend them taking into consideration the provisions of this law and this regulation.

)b) All applications shall be submitted to the Registrar in writing on the forms approved according to the provisions of paragraph (a) of this article. In case there is no specific provision as to the use of a specific form for a certain request, the Registrar shall specify its wording according to form (11) of the second annex of this regulation.

Article 5

)a) Taking into consideration any instructions which may be issued by the minister and are published in the official gazette, the documents filed pursuant to this regulation should:

1 .Be written or printed in clear and large characters using a stable dark ink on one side only on white durable paper in the size approved by the Registrar.

2 .Be written in Arabic unless there is a signature on them approving using another language. They should be signed in a large and clear inscription.

3 .Have an empty margin on the left side not less than four centimeters.

)b) Be filed in duplicates unless the Registrar requests more copies.

)c) Have a suitable empty space at the top of the first page of the specifications of the invention.

)d) The documents containing illustrative drawings shall be exempted from the provisions of paragraph (a) .(

Article 6

a. It is acceptable to submit by hand or send by registered air mail any of the applications, declarations, notifications or any other documents allowed or required by the law or this regulation. They shall be considered as being submitted, delivered, filed or notified at the time they were delivered or at the time the dispatch containing any of the aforementioned documents was received. In order to prove that any of the said documents was sent or received it is sufficient for the sender to prove that he has delivered it by hand or sent it to the address of the office, the address specified in the application or in the opposition memorandum or the address specified for notification according to article (7) of this regulation as the case may be.

b. All of the applications, declarations, notifications or documents filed according to the provisions of paragraph (a) of this article shall be recorded in the register of outgoing or incoming according to their subject matter giving them serial number and indicating the date of their dispatch or arrival.

Article 7

The patent owner, the applicant for registration, the opposer and every person who is required to submit his address to the Registrar, should provide the Registrar with a specified address in the Kingdom for notification. This address shall be sanctioned for the purposes of the law and this regulation.

Article 8

The application for the registration of an invention shall be submitted according to form number (3) of the second annex of this regulation accompanied by a declaration supplemented by oath according to form (4) of the same annex.

Article 9

Any application for the registration of an invention shall be recorded in the incoming register according to the order it was received by hand or by registered mail and it shall be given a serial number together with recording its arrival date. It shall, also be recorded in the same order in the inventions register while indicating the date.

Article 10

The application for registration shall be accompanied by the following documents:

a. A detailed description of the invention beginning by writing down the title of the invention. The detailed description (specifications) should satisfy the following :

1. Specifying the technical or scientific field of the invention .
2. Disclosing the prior technical art the applicant is aware of and which may be useful to understand and examine the invention .
3. Disclosing the invention in clear words and phrases which permits it to be fully understood and which enable those skilled in the art of the invention to carry it out and to mention any probable effect of the invention if applicable .
4. A brief description of any illustrative drawings of the invention if there are drawings .

5. Stating the best mode known to the inventor for carrying out the invention, while giving example when applicable and making references to the illustrative drawings if available .
6. A clear detailed listing of the new claims whose protection is sought and which have been specified in the application.
 - b. Any illustrative drawing of the invention if it is necessary for the understanding of the invention. Drawings may also be submitted if the nature of the invention allow for its illustration by drawings .
 - c. A brief description of the invention and the new claims whose protection is sought in about (200) words for the purpose of publication in the official gazette. The said brief description should be independent of the application and it should comprise the following :
 1. The name of the inventor and the applicant if the applicant is not the inventor and the address of both of them .
 2. A summary of the specifications of the invention, the claims whose protection is sought and any illustrative drawings associated with it. The said summary should indicate the technical or scientific field of the invention and should give a clear idea of the technical problem, the essence of its solution as well as the main uses of the invention .
 3. The chemical formula which best distinguishes the invention compared with the other formula listed in the application if needed and if the invention is a chemical invention .
 4. The best suited illustrative drawing among those presented by the applicant.
 - d. The certificate of incorporation of the company or the establishment or the memorandum of association as the case may be if the applicant is a juridical person .
 - e. The document establishing the applicant's right in the invention, if the applicant is not the inventor .
 - f. The power of attorney legalized according to regulations .
 - g. A copy of the prior application and the documents attached thereto as well as a certificate indicating its filing date, filing number and the country it was filed in if the application contains a claim for the priority rights according to article (10) of the law .
 - h. The issued provisional protection certificate for the inventions which are displayed in official exhibitions if available.

Article 11

- a. The application should be accompanied by the document referred to in paragraphs (a), (b) and (c) of article (10) of this regulation. As for other documents, in case they are not attached to the application, a pledge may be submitted by the applicant according to form (5) of the second annex of this regulation to submit the needed documents within sixty days as from the filing date of the application. If the applicant does not file them during this period he will be considered as abandoning the application based on a decision by the Registrar except for the documents referred to in paragraph (g) of article (10) of this regulation. The failure to file this document during the said grace period when claiming priority results in the loss of the right to claim priority.
- b. If the applicant does submit the other documents referred to in paragraph (a) of this article during the specified period, he shall be considered as abandoning his right to the application based upon the decision of the Registrar.
- c. The register shall be marked to indicate the abandoning of the application by the applicant or his loss of the right to claim priority as the case may be.

Article 12

All the documents submitted pursuant to the provisions of the regulation should be accompanied by an Arabic translation if they are written in English and by an Arabic and English translations if they are written in another language.

Article 13

In preparing the illustrative drawings the following should be abided by:

- a. The lines should be clear and in one single pattern.
- b. The drawings should be perpendicular to the drawing paper.
- c. The characters and numbers used to refer to the parts of the drawings (figures) should be clearly written. The same characters and numbers should be used on the corresponding parts in the different positions of the drawings (figures). When writing these characters and numbers outside the illustrative drawings (figures) they should be connected to the parts they refer to by thin lines.
- d. A sufficient margin must be left between each of the drawing and the drawings next to it and the drawings must be given consecutive numbers in case more than one drawing is placed on the same paper.

Article 14

- a. The Registrar may request the applicant or allow him to submit samples of the products related to chemical and nutritional inventions, medical preparations and pharmaceutical or veterinarian preparations. The applicant must in this case submit the requested samples, make a list thereof and attach it to the specifications and summary of the invention.
- b. The submission of the samples stipulated in paragraph (a) of this article shall be in bottles whose heights do not exceed (8) centimeters and outer diameters do not exceed (4) centimeters. They must be tightly sealed and stamped with sealing wax. The samples shall have fixed on them a statement indicating their connection to the product mentioned in the specifications of the invention.

Article 15

If the invention was related to a dyeing or coloring substance, and a sample thereof has been submitted pursuant to the provisions of article (14) of this regulation; the samples should be augmented by specimens of goods which have been printed or dyed by this substance according to the conditions and requirements stipulated by the Registrar for this purpose.

Article 16

When needed, the Registrar may in case other than those stipulated in articles (14) and (15) of this regulation request the applicant to submit samples or specimen. If the samples contained poisonous, caustic, flammable or explosive substances, that fact should be indicated in the statement fixed to them.

Article 17

- a. The applicant may file an application to amend the specifications or the illustrative drawings (figures) according to form (11) of the second annex of this regulation accompanied by a copy of the old and new specifications or drawings legalized according to regulations indicating therein clearly the amendments to be made. This should be done before the publication in the official gazette. In this case the date of the application will become the date of making the amendments .

b. If the Registrar discovers after receiving the specifications and drawings that the features of the invention have not been made clear and were not sufficiently described and he requested amending the specifications or the illustrative drawings (figures) or any of them, the application will be dated by the date of making the amendments provided that the grace period granted to the applicant does not exceed sixty days as from the date of being notified by the Registrar of the need to make amendments otherwise the applicant shall be considered abandoning the application based on a decision to be issued by the Registrar.

Examination of the application

Article 18

The Registrar shall examine the application to obtain the patent and its attachments as stipulated in articles (19) and (20) of this regulation to ascertain the following:

- a. That the application is filed by the person who owns the right to file it.
- b. That the application satisfies the conditions stipulated in articles (5), (10) and (13) of this regulation.
- c. That the samples and specimen which have been filed or which are requested satisfy the conditions stipulated in articles (14), (15) and (16) of this regulation as the case may be.
- d. That there is no bar to granting the patent according to the provisions of article (4) of the law.
- e. That the conditions of protection of the patent according to the provisions of article (3) of the law are satisfied.
- f. That the inventive claims whose protection is sought are stated in the application in a specific manner and are explained clearly according to the provisions of paragraphs (a) of article (8) of the law and the provisions of this regulation.

Article 19

The Registrar shall examine the application as to form. If this examination reveals that it does not satisfy any of the conditions stipulated in the law or this regulation he may send a notification to the applicant requesting him to affect what is needed within a period not exceeding sixty days as of the date of being notified otherwise the applicant loses his right in the application based on a decision to be issued by the Registrar and that fact shall be recorded in the register.

Article 20

If it is established that the application satisfies the conditions and requirements as regarding the form, the Registrar may send a notice to the applicant requesting him to pay the fees needed for the objective examination of the invention within sixty days as from the date of being notified. If the fees are paid during that period the application shall be transferred to objective examination otherwise the application shall be considered as null and void. This fact shall be recorded in the register.

Article 21

The Registrar may for the purpose of examination get assistance from the technical expertise available at any authority if he deemed that necessary.

Issuing a decision regarding the application

Article 22

If the examination of the application revealed that it does not satisfy the conditions stipulated in the law and this regulation, the Registrar shall issue a decision rejecting the application and stating the reasons for rejection. This decision shall be notified to the applicant.

Article 23

a. If the examination established that the formal and objective conditions and requirements as stipulated in the law and this regulation are satisfied, the Registrar shall issue his decision accepting the application and granting the applicant the preliminary acceptance of the application, notifying him of this by a letter and requesting him to pay the publication fees within a period not exceeding sixty days as of the date of being notified. If the applicant does not pay the said fees within the said period the application shall be considered as null and void pursuant to a decision by the Registrar to be recorded in the register.

b. If the publication fees are paid, the Registrar shall grant the preliminary acceptance certificate on form (6) of the second annex of this regulation. The announcement of the preliminary acceptance shall be published in the official gazette within a period not exceeding one year. The Registrar may extend this period for a period or periods not exceeding one year if he deems that extension a necessity. The said announcement shall include the abstract stipulated in paragraph (c) of article (10) of this regulation and any other data or figures the Registrar deemes necessary to publish.

Article 24

After the preliminary acceptance of the application according to the law and this regulation, the public shall have the right to inspect the application and specifications as well as the illustrative drawings if available.

Article 25

a. If no opposition to the registration of the invention has been filed within three months as from the publication date in the official gazette or if the opposition has been rejected, the Registrar shall issue his decision granting the patent after the payment of the due fees pursuant to the provisions of this regulation and he shall record the patent in the register and deliver it to the applicant or his agent according to the regulations.

b. The opposition period stipulated in paragraph (a) of this article may be extended pursuant to a decision to be issued by the Registrar for reasons that he deems reasonable or based upon a request submitted to the Registrar containing reasons for the extension which convince the Registrar.

c. The patent and the recording in the register must contain the following data:

- 1 .The number of the application and its filing date.
- 2 .The name of the inventor.
- 3 .The name, nationality and address of the owner of the patent.
- 4 .The title of the invention.
- 5 .The drawing associated with the invention if applicable.
- 6 .The number of the recording of the patent in the register.
- 7 .The issuance date of the patent.
- 8 .The proof of payment of the fees.
- 9 .The protection period, its starting date and the date of end of protection.
- 10 .The number of the priority application, its date and the country in which the priority application was filed, in case the patent was based on a priority application.

d. If the application is a continuation application as stipulated in article (18) of the law, then the number of the original patent and date of the end of protection must be stated in addition to the data stipulated in paragraph (c) of this article.

Article 26

a. The opposition to the registration of an invention shall be submitted according to the form (7) of the second annex of this regulation together with the due fees while mentioning therein the reason or reasons upon which the opposer is basing his opposition.

b. The opposition form shall be signed by the opposer or his agent and it shall be accompanied by a memorandum in duplicate indicating in detail the rights of the opposer and the merits and reasons upon which the opposition is based and the demands of the opposer. The Registrar shall provide the applicant with a copy of the form and memorandum of opposition.

Article 27

If the applicant decided to respond to the opposition he shall do so within a period of thirty days as of the date of being notified of the opposition memorandum or during any other period allowed by the Registrar by filing at the office a reply memorandum in duplicate containing his reasons for replying to the opposition. The Registrar shall provide the opposer with a copy of the said memorandum.

Article 28

The opposer may within thirty days as of the date of being notified of the reply memorandum or during any other period permitted by the Registrar file at the office any evidence in the form of declaration supplemented by oath and any other accompanying attachments in support of his case. The Registrar shall provide the applicant with a copy thereof.

Article 29

a. The applicant may within thirty days as of the date of receiving a copy of evidence and attachments stipulated in article (28) of this regulation or within thirty days as of the end of the period within which the opposer may file evidence if he did not file evidence or within any other period allowed by the Registrar in any of these two cases, file at the office declarations supplemented by oath and any other attachments. The Registrar shall provide the opposer with a copy thereof.

b. The opposer may file at the office declarations supplemented by oath or any other attachments in reply to the applicant within a period not exceeding thirty days as of the date he receives the said copy or within any other period allowed by the Registrar. The Registrar shall provide the applicant with a copy thereof. The said declaration and attachments must be limited to what is needed for the reply.

Article 30

a. The Registrar shall fix a date for hearing the case at the end of declarations if submitted or at any other time he deems suitable. He shall allow both parties a period not less than fifteen days before the date of hearing the case.

b. The Registrar shall issue his decision in the case after hearing both parties or the party that wishes to give a statement or present a pleading. If none of them wishes to give a statement, the Registrar may adjudicate the case without hearing their statements and in all cases he shall notify both parties of his decision.

Article 31

The form of patent shall be as approved by the Registrar.

Article 32

The patent's owner shall pay annuities (annual fees) according to form (8) of the second annex of this regulation every year of the legal protection period of the patent. In case of non-payment at the appointed date, the patent owner shall be given a grace period not exceeding six months provided that the fees are doubled in this case. If payment is not made during this grace period, the Registrar shall issue a decision, declaring the patent and its associated rights abandoned and canceling it from the register.

Article 33

The Registrar shall issue a certificate to the patent's owner as per regulations indicating the payment of applicable annuities according to form (8). The date of payment of annuities and obtaining the certificate shall be recorded in the register.

Article 34

If any change is made to the name of the patent's owner, his address or his notification address, the owner shall send a notification of the said change to the Registrar on form (11) of the second annex of this regulation. The Registrar shall order that the register be amended to reflect this change after the due fees are paid.

Article 35

A request to record any document related to the ownership of a patent which is not stipulated in this regulation may be filed by using form (11) of the second annex of this regulation. The request shall be accompanied by a copy of the document properly legalized.

Article 36

If a material error took place in the filed applications, the patent or the specifications of the invention or any recording in the register, a request for its correction may be filed on form (11) of the second annex of this regulation. This correction may also be affected pursuant to a decision by the Registrar.

Article 37

- a. Any party desiring to obtain a certificate from the Registrar related to a recorded data or any other matter allowable by the law or this regulation may file a request to this effect on form (9) of the second annex of this regulation.
- b. The Registrar may issue certified copies of any recordings recorded in the register any patent, specifications of an invention, data, declarations supplemented by oath, or other documents kept by him after the payment of the due fees.

Article 38

Those concerned may file a request to obtain a copy of the Letters Patent when it is lost or damaged by using form number (10) of the second annex of this regulation. Provisional protection for the inventions to be displayed in exhibits

Article 39

If the inventor desires to obtain the provisional protection for his invention which may be subject of patent in the Kingdom and he wishes to display it in any official exhibit taking place inside or outside the Kingdom pursuant to article (20) of the law, to publish the description of the invention during the exhibit or to use the invention for the purpose of displaying it in the exhibit he should before displaying it submit the following to the Registrar:

- a. A request on form (1) of the second annex of this regulation.
- b. A summary of the invention and the associated illustrative drawing.
- c. A statement of the products associated with the invention.
- d. Any other statement that the Registrar deems as necessary and obligates the applicant to supply.

Article 40

The Registrar shall prepare a register for the provisional protection of the inventions stipulated in article (39) of this regulation in which the applications are register serially. The said record shall contain the following data:

- a. The number of application and its filing date.
- b. The name, nationality, domicile of the inventor or his headquarters and address.
- c. The name and address of the agent.
- d. The domicile of choice in the Kingdom to which notifications are to be sent.
- e. The exhibit, its address and its opening date.
- f. The title of the invention and a statement of the goods associated with it.
- g. The date of entry of the goods into the exhibit.
- h. The number of the provisional protection certificate, its date and duration.

Article 41

The Registrar shall grant the inventor the provisional protection certificate on form (2) of the second annex of this regulation. The said certificate shall secure the rights stemming from paragraph (b) of article (13) of the law for a period not exceeding six months as of the date of the opening of the exhibit.

Article 42

The Registrar shall publish the lapsed patents pursuant to the provisions of paragraph (a) of article (30) of the law in the official gazette.

Article 43

If the Registrar issued a decision based on the elective authority vested upon him pursuant to the provisions of this law, he shall notify his decision to the applicant or the patent's owner the opposer if available and to all those interested.

Article 44

- a. The declarations supplemented by oath which this regulation requires that they should be submitted or those used in any procedures pursuant to this regulation must be commenced by stating the subject or subjects they are related to and they must be in the first person form. They should be divided into consecutive paragraphs with each paragraph limited to only one subject to the extent that is possible.
- b. Each declaration supplemented by oath must indicate the name of the person making the declaration, his capacity, and his regular domicile, it must be printed and indicate the name and address of the person which the declaration was made on his behalf.

Article 45

- a. The declarations supplemented by oath may be written and signed in the Kingdom in front of the notary public or the justice of the peace.
- b. The declarations supplemented by oath may be written and signed outside the Kingdom in front of the notary public or the justice of the peace provided that it is properly legalized by the competent authorities.

Article 46

Except for the case stipulated in article (32) of this regulation, the Registrar shall have the authority to extend the time period specified for executing any action or effecting any procedures stipulated therein.

Article 47

If the last day of a time period specified in the law or this regulation for executing any action or affecting any procedure is an official holiday, then the said time period shall be extended to the first working day following the holiday.

Compulsory licenses

Article 48

Any natural or juridical person may file a request to the minister of industry and trade in case of the fulfillment of any of the conditions stipulated in article (22) of the law in order to obtain a license to exploit an invention without the consent of the patent's owner.

Article 49

The compulsory license request shall be submitted to the minister of industry and trade in the form of a summary from the applicant for the license directed to the owner of the patent. The minister shall issue his decision rejecting the grant of the compulsory license or granting it while specifying its conditions, scope and the compensation that the applicant for the license must pay to the patent's owner. The minister shall notify his decision to all interested parties. This license shall be recorded together with all other relevant data in the register of inventions after the due fees have paid by the licensee.

Contractual licenses

Article 50

The owner of a patent may license any natural or juridical person to use or exploit the right subject of a patent pursuant to a written contract, provided that the period of the license does not exceed the period of protection specified according to the provisions of the law.

Article 51

If the license contract has been recorded in the register, this recording shall be cancelled based upon an application from any of the parties of the contract accompanied by the supporting documents in any of the following cases:

- a. The termination of the term of the contract.
- b. The revocation of the contract before the end of its term based upon the agreement of both parties or pursuant to a judicial ruling.
- c. The invalidity of the contract for whatever reason.

Industrial property registration agents
Article 52

The Registrar shall set up a register for the industrial property registration agents. This record shall include the following data:

- a. The number and filing date of the application.
- b. The name, qualification, place of residence and address of the applicant. If the applicant is a corporation its name, legal form, purposes, main address and the address of its registered branches or offices in the Kingdom must be stated.
- c. The decision issued with respect to the application, the date of issuance of the decision and the date of the notification of the decision.
- d. The registration number in the register of the industrial property registration agents and its date.
- e. Any other data the Registrar deems as necessary.

Article 53

a. A person filing an application for registration in the industrial property registration agents must be.

- 1 .A Jordanian national.
 - 2 .Legally competent.
 - 3 .Not convicted in a felony or a misdemeanor incompatible with honor and honesty.
- b. The corporations specializing in the field of industrial property protection which have a center in the Kingdom shall be registered in the register of the industrial property registration agents.

Article 54

The applications for registration together with the documents proving the fulfillment of the conditions stipulated in this regulation shall be submitted to the Registrar who shall record these applications giving them serial numbers according to their filing order in the register of industrial property registration agents. He shall provide each applicant with a receipt containing the serial number of the application, its filing date and a statement of the accompanying documents.

Article 55

- a. The Registrar shall examine the registration applications and the accompanying documents and he shall have the authority to request the applicant to submit any documents and explanations he deems needed before issuing his decision.
- b. After ascertaining the fulfillment of the conditions stipulated in this regulation, the Registrar shall decide to register or renew the registration of the name of the applicant in the register of the industrial property register agents.
- c. If the Registrar ascertains that the conditions are not satisfied with respect to the applicant he shall reject the application by issuing a rejection decision explaining therein the reason for rejection.
- d. Registration is to be affected in the register of industrial property registration agents for one year which is renewable based upon the date of payment of the registration fees.
- e. The Registrar shall issue his decision regarding the applications for registration within a period not exceeding three months as of the date of filing the application satisfying all the conditions and requirements. The Registrar shall notify the applicant of the decision upon its issuance.

Article 56

- a. The Registrar shall have the right to cancel the registration of any of the industrial property registration agents if that agent becomes lacking any of the conditions stipulated in this regulation or if it is discovered that he did not satisfy any of the conditions at the time he was registered in the register.
- b. The names of those which died, whose registrations were cancelled, who asked that their name be struck out of the register or who did not pay the due fees shall be struck out of the register.

Article 57

The minister may, based upon the recommendation of the Registrar issue the directives needed to put this regulation into effect. The said directives shall be published in the official gazette.