

Regulation No. 52 of the Year 2002
Industrial Designs and Models Regulation
Issued Pursuant to Article (18) of Industrial Designs and Models Law No. 14 of the Year 2000

Article 1

The present regulation shall be hereby named (Industrial Designs and Models Regulation of 2002) and shall be effective as of the date of publication in the official gazette.

Article 2

The following terms contained herein shall have the meanings assigned hereto unless the context dictates otherwise:

The Law: The Law of Industrial Designs and Models.

The Office: The Office of the Registrar of Industrial Designs and Models.

The Agent: The Industrial Property Registration agent, registered pursuant to the provisions of the Patents of Inventions Law, or the attorney registered at the register of practicing attorneys.

Article 3

Fees shall be paid for transactions conducted pursuant to the provisions of The Law and the present Regulation, in accordance with the schedule contained in the first annex which constitutes an integral part of the present Regulation.

Article 4

A. The forms cited in the present Regulation, shall be adopted as contained in the second annex hereto. The registrar may amend such forms, at any time, subject to the provisions of The Law and the present Regulation.

B. All applications shall be submitted to the registrar, in writing, on the adopted forms, pursuant to the present article, paragraph (A). In case of the absence of a provision indicating the form of certain application, the registrar shall determine the same pursuant to form #9 of the second annex to the present Regulation.

Article 5

A. Subject to any instructions issued by the Minster and published in the official gazette, the following shall be observed in the documents submitted to The Office, pursuant to the present Regulation:

.1The documents shall be written or printed with bold and clear characters; and by non-removable and dark ink, on one side of white enduring paper of the size adopted by the registrar;

.2The documents shall be written in Arabic language; unless otherwise required; and shall be signed in bold and clear handwriting;

.3A margin, not less than four centimeters of width, shall be left in the left side of the document; and

.4Two copies of the document shall be submitted, unless otherwise requested by the registrar.

B. Documents comprising illustrative figures shall be excluded from the provisions of the present article, paragraph (A). (

Article 6

)A) Applications, declarations, notifications or any other documents as permitted or requested by The Law or the present Regulation, may be given by hand or delivered, by registered mail; and shall be deemed to be submitted, delivered, filed or served at the time of being given by hand or of receiving the consignment including any of such documents. For proving delivery or receipt of any of such documents, the consignor shall prove giving by hand or delivering same to the address of The Office, the address mentioned in the application or the opposition memorandum or the address for service, pursuant to article (7) of the present Regulation, as the case requires.

)B) Applications, declarations, notifications or documents submitted pursuant to the provisions of the present article, paragraph (A), shall be serially registered according to subject thereof, in the respective register of in/out mail held by the Ministry; wherein the date of delivery or receipt shall be indicated.

Article 7

The proprietor of the industrial design or model, the applicant for registration, the opposing party and any person committed to inform the registrar of his address, shall have to designate distinct address to be served by the registrar in the Kingdom of Jordan. Such address shall be adopted for the purposes of The Law and the present Regulation.

Article 8

Application for registration of industrial design or model shall be submitted in accordance with form #3 of the second annex to the present Regulation.

Article 9

Application for registration of industrial design or shall be serially registered in the register of incoming according to the date of receipt, either by hand or by registered mail, and in the register of industrial designs or model, in the same order, together with indicating the date of receipt.

Article 10

A- Goods shall be classified according to the third annex of the present Regulation, provided that the class/classes in respect of which the industrial design or model is required to be registered, is/are clearly indicated in the application for registration.

B- In case of the inability or impracticality to classify the goods, or to indicate the group or composition thereof, the registrar shall issue a decision to this end, giving due attention to the characteristic feature of the goods.

Article 11

The following documents shall be attached to the application for registration:

- A. Three copies of the illustrative figures of the industrial design or model;
- B. The kind of the product relating to the industrial design or model;
- C. The class/classes in respect of which the industrial design or model is required to be registered;
- D. If the applicant is a corporate person, a copy of the certificate of registration or the memorandum of association of the company or corporation, as the case requires;
- E. If the applicant is not the inventor, the document proving the right of the applicant to the industrial design or model;
- F. Power of attorney duly legalized;
- G. If the application includes a claim for priority in registration, pursuant to the provisions of article (8) of The Law, a copy of the previous application and the documents attached thereto; and a certificate indicating the date of presenting and the filing date of the original application and the state in which it is filed;
- H. The certificate granting temporary protection to the industrial designs and models exhibited in public exhibitions, if existing; and
- I. An independent abstract, for the purpose of being published in the official gazette, describing the novelty of industrial design or design, not exceeding two hundred words; provided that such abstract includes:
 - (1) The inventor's name, the applicant's name_ if the applicant is not the inventor_ and the addresses thereof;
 - (2) A copy of the best of the illustrative figures pertaining to the industrial design or model; and
 - (3) The data hereinabove mentioned in the present article, paragraphs (B) and (C).

Article 12

A- The documents hereinabove mentioned, in article (11), paragraphs (A), (B), (C) and (I) of the present Regulation, shall be attached to the application for registration. However, for the other documents, if not attached to such application, the applicant may submit an undertaking to submit the necessary documents, in accordance with form # (4) of the second annex to the present Regulation, within sixty days starting from the date of submitting the application. Nevertheless, if the applicant failed to submit such, within the above prescribed period, the registrar may, pursuant to a decision taken to this end, deem the applicant as abandoned such application; with the exception of the document above mentioned in article (11), paragraph (g) of the present Regulation. Had the applicant not submitted such undertaking within the above-prescribed period, on claiming the priority right, the applicant right to the priority shall lapse.

B- A proof for the issuance of the registrar's decision, indicating that the applicant has abandoned the application or that the applicant's right to claim priority has lapsed, shall be registered, as the case requires.

Article 13

All the documents submitted pursuant to the provision of the present Regulation, shall be accompanied by translation into Arabic, if written in English, or translation into Arabic and English, if otherwise.

Article 14

)A) The illustrative figures of the industrial design or model hereinabove mentioned in Article (11), paragraph (A) of the present Regulation, consist of photographs, illustrative diagrams and illustrative data to the industrial model or each of the dimensions of the industrial design.

)B) The following shall be observed in the submitted illustrative figures:

- (1) The lines shall be clear and of even thickness;
- (2) The figures shall be traced vertically on the figure sheet;
- (3) The letters and numbers referring to parts of the industrial model or design should be apparently written, and the same letters and numbers shall be used in the different positions of the industrial model or design. Where such letters and numbers are written outside the illustrative figure, they should be connected to the parts to which they refer by means of thin lines; and
- (4) A sufficient margin shall be left between each of the diagrams, and each diagram shall be respectively numbered, in case of model more than one diagram in one sheet.

Article 15

The registrar may demand or otherwise permit the applicant to present samples of the products relating to the industrial design or model thereof. In this case, the applicant shall present and list the required samples, and attach same to the application.

Examining the Application for Registration

Article 16

The registrar shall examine the application thereto submitted for obtaining a certificate for registration of an industrial design or model and attachments thereto, for ascertaining the following:

- A- That the application was submitted by the concerned party;
- B- That the application fulfills the terms provided for in articles (5), (11) and (14) of the present Regulation;
- C- That the samples presented or requested to be presented are in compliance with the provisions of article (15) of the present Regulation;
- D- That there are no obstacles preventing the granting the certificate of registration of industrial model or design, pursuant to the provisions of article (4), paragraphs (C) and (D) of The Law; and
- E- That the terms stipulated for the protection of industrial design or model are fulfilled pursuant to the provisions of article (4), Paragraph (1) of The Law.

Article 17

The registrar shall examine the application in form. If it appears to the registrar, upon examination, that such application does not fulfill any of the terms specified in The Law or the present Regulation, the registrar may notify the applicant, demanding him to amend the application, within a period not exceeding sixty days, as of the date of

such notification; otherwise, the registrar may, pursuant to a decision taken to this end, deem the applicant as abandoned the application. Such abandonment shall be recorded in the register.

Article 18

If it appears that the application fulfills the terms and requirements, in form, the registrar shall notify the applicant, demanding him to pay the fees required for technical examination of industrial design or model, within a period not exceeding sixty days, as of the date of receiving the notification. Had the charges been paid, within the said period, such application shall be referred to technical examination; otherwise, it shall be deemed null and void, which shall be recorded in the register.

Article 19

The registrar may, for the purposes of technical examination, seek the assistance of technical expertise available at any party, if he / she deems necessary.

Issuing a Decision in the Application for Registration

Article 20

Upon examining the application for registration, if it appears that the terms prescribed in The Law and the present Regulation have not been fulfilled, the registrar shall issue a justified decision of rejection. Such decision shall be served to the applicant.

Article 21

A. Upon examining the application, if it appears that the terms and requirements, in respect of the form and the subject, as provided for in The Law and the present Regulation, were fulfilled, the registrar shall issue a decision of accepting the application, and shall grant the applicant preliminary approval therefor. Nevertheless, the applicant shall be served, in this respect, through a letter, demanding same to pay the fees for publication, within a period not exceeding sixty days as of the date of being served. Should the applicant fail to pay, within the above period, the application shall, by the decision of the registrar, be deemed null and void. Such decision shall be recorded in the register.

B. In case of the payment of publication fees, the registrar shall grant a preliminary approval certificate, on form #5 of the second annex to the present Regulation. The declaration of preliminary approval shall be published in the official gazette, including the abstract provided for in article (11), paragraph (i) of the present Regulation, and any other data, as the registrar deems necessary for publication.

Article 22

)A) In case that no opposition was submitted against an application for registration of industrial design or model, within ninety days starting from the date of publishing the declaration in the official gazette or in case of rejecting the opposition, the registrar shall issue a decision of granting a certificate for registration of industrial design or model, after payment of the prescribed fees, pursuant to the present Regulation. The

registrar shall further record the certificate in the register and deliver it to the applicant or agent thereof, as necessary.

)B) An extension to the opposition-prescribed-period, as provided for in the present article, paragraph (A), may be granted, by the registrar's decision, for the reasons deemed appropriate by the registrar, or upon a request thereto submitted, indicating the reasons for extension, which the registrar deems satisfactory.

)C) The certificate of registration of industrial design or model and the recording in the register shall include the following information:

- .1The application number and filing date;
- .2The inventor's name;
- .3The name, nationality and address of the proprietor of industrial design or model;
- .4The illustrative figures relating to the industrial design or model for the purposes of recordation in the register;
- .5The number of recording the certificate of registration of industrial design or model in the register;
- .6The date of issuing the certificate of registration of the industrial design or model;
- .7Statement for the payment of fees;
- .8Classification of the industrial design or model;
- .9The protection period and the starting and termination dates thereof; and
- .10The number and date of the application for priority and the original state of filing the previous application, if the application for registration of industrial design or model was based upon such priority.

Article 23

A- The opposition against accepting an application for registration of industrial design or model shall be submitted pursuant to form #6 of the second annex to the present Regulation, together with the prescribed fees. Nevertheless, the reason/reasons upon which the opposing party bases the opposition shall be mentioned in the opposition.

B- The opposition form shall be signed by the opposing party or the attorney thereof, and accompanied by two copies of a memorandum indicating, in detail, the right of the opposing party and the facts and reasons upon which the opposing party bases his/her opposition and application. The registrar shall serve a copy of the opposition form and the opposition memorandum to the applicant. Article 24

The applicant shall, within thirty days from receiving the opposition memorandum, or within any other period permitted by the registrar, respond thereto, if he so desires, by filing in the office two copies of the pleading incorporating the reasons for such response. The registrar shall serve a copy of such pleading to the opposing party.

Article 25

The opposing party may, within thirty days from receiving a copy of the pleading, or within any other period permitted by the registrar, file in the Office, evidences in the form of affidavits, and any other attached documents supporting his claim; however, the registrar shall serve a copy thereof to the applicant.

Article 26

A. The applicant, within thirty days from receiving a copy of the evidences and the attachments provided for in article (25) of the present Regulation; within thirty days, from the termination of the period provided for submitting the opposing party's evidence, if not already submitted; or within any other period permitted by the registrar, in either of the cases, may submit affidavit or any other documents to the office. The registrar shall serve a copy thereof to the opposing party.

B. The opposing party may file in the office affidavit and any other documents, in response to the applicant, within a period not exceeding thirty days from receiving such copy, or within any other period permitted by the registrar; however, a copy thereof shall be served to the applicant. Such affidavit and documents shall be limited to the issues, for which response is requested.

Article 27

A- The registrar shall appoint the date for the hearing of the lawsuit, when no further evidences, if exist, are submitted, or at any other time, as he deems fit. Both parties shall be given a period not less than fifteen days before the date fixed for the hearing of the lawsuit.

B- The registrar shall issue a decision in the lawsuit after the hearing of the depositions made by both parties, or otherwise the party that desires to offer depositions or to plead. If neither of them desires to offer depositions, the registrar may make a decision in the lawsuit, without hearing the depositions; and shall serve the decision to each of them, in all cases.

Article 28

The form specified for the certificate of registration of an industrial design or model shall be stipulated by the registrar.

Revocation of Registration of Industrial Design or Model

Article 29

A. An application for revocation of Industrial Design or Model shall be submitted pursuant to article (13) of The Law, in accordance with form # (10) of the second annex to the present Regulation; together with the fees specified. Such application shall include the reason/reasons upon which the applicant for revocation bases the registration.

B. Such application shall be signed by the applicant for revocation or his agent, and shall be accompanied by the two copies of a memorandum indicating, in detail, the right of such applicant, the facts, and the reasons upon which the application is based. The registrar shall serve a copy of such application to the proprietor of the industrial design or model.

Article 30

Provisions of articles (24), (25), (26) and (27) of the present Regulation shall apply, if necessary, on the application for revocation after being submitted, and a copy thereof served to the proprietor of the industrial design or model, in accordance with the decision of the registrar.

Affidavit Article 31

A. Affidavit required to be submitted pursuant to the present Regulation, or already used in any procedure thereunder, shall begin by mentioning the relevant subject/subjects; and shall be in subjective mode; divided into subsequent sections; each section consists of one subject only, as possible.

B. Each affidavit shall include the name, title and domicile of the person who made the affidavit and the name and address of the person who made the affidavit on behalf of the former; and shall be printed.

Article 32

A. Affidavit shall be prepared and signed in the Kingdom, before the court clerk or the Magistrate.

B. Affidavit shall be prepared and signed outside the Kingdom, before the court clerk, or the person acting in his stead, or the Judge. Such Affidavit shall be duly legalized by the concerned parties.

Article 33

The registrar may grant extension to the periods specified in the present Regulation, for carrying out any act or undertaking any procedure therein stipulated.

Article 34

Should the last day of the period, specified in The Law or the present Regulation for carrying out any act or undertaking any procedure, coincides with an official holiday; such period shall be extended to the subsequent working day.

Article 35

The proprietor of industrial design or model shall pay registration fees, pursuant to form # (11) of the second annex to the present Regulation, after the issuance of preliminary approval for the application for registration.

Article 36

The registrar shall issue a certificate indicating the payment of registration fees, as requested, to the proprietor of industrial design or model, in accordance with form # (11). The date of payment of such fees and of obtaining such certificate shall be recorded in the register.

Article 37

If the registrar made a decision in accordance with the competences thereupon invested, by virtue of the provisions of the present Regulation, such decision shall be served by the registrar to the applicant for registration or proprietor of industrial

design or model; as well as the opposing party; the applicant for revocation of industrial design or model, if exists, and any relevant party.

Article 38

The proprietor of industrial design or model, in case of making any changes in the name, domicile, or address for service thereof, shall serve a notice in this respect to the registrar, on form # (9) of the second annex to the present Regulation. The registrar shall decide to make such changes in the register after payment of the specified fees.

Article 39

Application for registration of any document, other than those provided for in the present Regulation, pertaining to the proprietorship of the industrial design or model certificate, shall be submitted in accordance with form # (9) of the second annex to the present Regulation; and a true and correct copy of such document, duly legalized, shall be attached to such application.

Article 40

In case of the occurrence of physical errors in the applications, already submitted, the industrial design or model certificate, or in any entry in the register; an application for rectification thereof shall be submitted on form # (9) of the second annex to the present Regulation. Such rectification may be made by the registrar's decision.

Article 41

A. Any person willing to obtain from the registrar a certificate relating to any entry or order permitted by The Law or the present Regulation, may submit an application in this respect, on form # (7) of the second annex to the present Regulation.

B. The registrar may issue legalized copies of each entry in the register, of any industrial design or model certificate, data, affidavit or any other documents kept by the registrar after payment of the specified fees.

Article 42

Any party interested shall apply for obtaining a copy of industrial design or model proprietary certificate, had it been lost or damaged, in accordance with form # (8) of the second annex to the present Regulation.

Article 43

Common figures, words, letters or numbers not originally found in the industrial design or model, shall be removed; yet, if originally found, the registrar may demand the applicant or his agent to present a declaration for abandonment of his right to exclusive usage.

Temporary Protection of Industrial Designs or Models

Article 44

If the inventor wanted the temporary protection for his/her industrial design or model that may be the subject of a certificate of industrial design or model inside the

Kingdom, or wanted to exhibit it in any official or officially recognized exhibition held inside or outside the Kingdom according to article (12) of The Law, or used the industrial design or model for exhibition, such inventor should provide the registrar prior, to exhibition, with the following:

- a- An application on form (1) of the second annex of this Regulation.
- b- A brief account of the description of the industrial design or model and illustrative figure thereof.
- c- The classification of the industrial design or model and the related products.
- d- Any other account the registrar deems necessary and assigns the applicant to submit.

Article 45

The registrar sets a register for temporary protection of industrial designs or models, whereby applications are enumerated successively, provided that this register includes the following data:

- a- Number and date of submitting the application;
- b- Name, nationality and residence, or domicile and address of the inventor;
- c- Name and address of the agent;
- d- Selected domicile inside the Kingdom whereto notifications shall be sent;
- e- The exhibition and the place and date of inaugurating thereof;
- f- Name, classification and products related to the industrial design or model;
- g- Date of delivering the products into the exhibition, and
- h- Number, date and period of the temporary protection certificate;

The registrar grants the inventor the temporary protection certificate on form (2) of the second annex of this Regulation; ensuring rights of exploiting the industrial design or model and taking measures to prove whatever violation. This would take place during a term not exceeding six months since the inauguration of the exhibition.

Contractual Licensing

Article 47

The proprietor of the industrial design or model may authorize any natural or corporate person to use and exploit a certain right with regard to the subject of the certificate of the industrial design or model by means of a written contract; provided that the term of the license does not exceed the protection indicated according to provisions of The Law.

Article 48

The registration of the registered licensing contract should be cancelled from the register on the basis of an application submitted to the registrar by whoever party of the contract, with advocative documents, in whatever case that follows:

- a- Expiry of the term of the contract;
 - b- Revocation of the contract before the expiry of its term with the agreement of both parties or under a judgment, or
 - c- The invalidity of the contract as a result of whatsoever reason.
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Industrial Property

Article 49

Agents of the registration of the industrial property are submissive to the related provisions provided for in the valid regulation of patents.

Article 50

Based upon the recommendation of the registrar, the Minister of Industry and Trade shall issue instructions necessary for the implementation of this Regulation, provided that such instructions shall be published in the Official Gazette.

Classes of Industrial Designs

Class 1 Foodstuffs

Class 2 Articles of clothing and haberdashery

Class 3 Travel goods, cases, parasols, light umbrellas protecting from sun and personal belongings, not elsewhere specified

Class 4 Brushware

Class 5 Fabric and textile piecegoods, artificial and natural sheet material

Class 6 Furniture

Class 7 Household goods, not elsewhere specified

Class 8 metalwares and tools

Class 9 Packages and containers for the transport or handling of goods

Class 10 Clocks and watches and other measuring instruments, checking and signalling instruments

Class 11 Articles of adornment

Class 12 Means of transport or hoisting

Class 13 Equipment for production, distribution or transformation of electricity

Class 14 Recording, communication or information retrieval equipment

Class 15 Machines, not elsewhere specified

Class 16 Photographic, cinematographic and optical apparatus

Class 17	Musical instruments
Class 18	Printing and office machinery
Class 19	Stationery and office equipment, artists' and teaching materials
Class 20	Sales and advertising equipment, signs
Class 21	Games, toys, tents and sports goods
Class 22	Arms, pyrotechnic articles, articles for hunting, fishing and pest killing
Class 23	Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel
Class 24	Medical and laboratory equipment
Class 25	Building units and construction elements
Class 26	Lighting apparatus
Class 27	Tobacco and smokers' supplies
Class 28	Pharmaceutical and cosmetic products, toilet articles and apparatus
Class 29	Devices and equipment against fire hazards, for accident prevention and for rescue
Class 30	Articles for the care and handling of animals
Class 31 specified	Machines and appliances for preparing food or drink not elsewhere
Class 32	Miscellaneous