



TRADEMARK
PATENT
DESIGN
COPYRIGHT
DOMAIN NAME

TRADEMARK

REGISTRATION

Information:

MEMBERSHIP

WIPO, Berne and Paris Conventions, Patent Cooperation Treaty

CLASSIFICATION

8th edition — single class application.

Class 33, alcoholic goods in class 32, pork meat in class 29, and Christmas trees and related products in class 28 cannot be registered.

SEARCH

Possible for word and device marks

EXAMINATION

On formal, absolute, and relative grounds

EXTENSION OF TIME

Not possible for filing oppositions, counter oppositions, and responding to office actions

VALIDITY

10 years as from the filing date

RENEWAL

For unlimited period of 10 years each

GRACE PERIOD

3 months from the protection's expiry date.

USE

Vulnerable to cancellation by any interested party if there has been no effective use of the mark for a period of 5 consecutive years

Requirements:

1. A Power of Attorney duly legalized up to the Libyan Consulate; and
2. An Extract from the Commercial Register or Certificate of Incorporation duly legalized up to the Libyan Consulate with certified English translations.

- A general POA may be used for subsequent filings.
- Original POA and certificate of incorporation must be submitted at the time of filing.

Time frame:

- 1) Opposition Period: 3 months from the publication date
- 2) End of opposition period up to issuance of registration certificate: The Office has recently decided on the final form of the Libyan trademark registration certificate. This means that the Office is now seriously working on issuing the registration certificates of all pending applications.
- 3) Total estimated time frame: 18-24 months

The above time frame is for a normal/smooth processing of a trademark application, in case of no objections by the trademark examiner or no oppositions from a third party.

RENEWAL**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Libyan Consulate.

CHANGE OF NAME OR ADDRESS**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Libyan Consulate; and
 2. Certificate of change of name/address from home registry, legalized, with sworn Arabic translation.
- May be recorded for applications and registrations.

ASSIGNMENT**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Libyan Consulate;
 2. Deed of assignment, legalized, with sworn Arabic translation; and
 3. Certificate of incorporation or extract from the commercial register of the assignee, legalized, with sworn Arabic translation.
- Trademarks may be assigned with or without the goodwill of the business concerned.
 - May be recorded for applications and registrations.

MERGER

Filing Requirements:

1. A Power of Attorney duly legalized up to the Libyan Consulate;
 2. Certificate of incorporation or extract from the commercial register of the surviving company, legalized, with sworn Arabic translation; and
 3. Certificate of merger, legalized, with sworn Arabic translation.
- May be recorded for applications and registrations.

LICENSE

Filing Requirements:

1. A Power of Attorney duly legalized up to the Libyan Consulate;
 2. License agreement, legalized, with sworn Arabic translation; and
 3. Certificate of incorporation or extract from the commercial register, legalized, with sworn Arabic translation.
- License recordal is not compulsory but highly advisable in order to be effective against third parties.
 - May be recorded for applications and registrations.

PATENT

Information:

EQUIVALENT SEARCH

Currently not available

EXAMINATION

As to form

PUBLICATION

Applications are not published prior to 18 months from the filing date or the earliest priority

OPPOSITION

Oppositions may be filed within 60 days from publication date

ANNUITIES

Due annually on the anniversary of the Libyan filing date and payable after grant; 6 month grace period for late payment without a surcharge

PROTECTION TERM

15 years from the Libyan filing date

Requirements:

1. A Power of Attorney duly legalized up to the Libyan Consulate;
2. Assignment from inventors, legalized;
3. Extract from the Commercial Register; or, Certificate of Good Standing, legalized;
4. Simple copy of the priority document;
5. Copy of International Publication (with ISR if published); and
6. Copy of the specifications in both English and Arabic.

CHANGE OF NAME OR ADDRESS**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Libyan Consulate; and
2. Certificate showing old and new name/ address, legalized.

ASSIGNMENT**Filing Requirements:**

1. Power of Attorney, duly legalized up to the Libyan Consulate (from assignor and/or assignee);
2. Extract from the Commercial Register of assignee, legalized; and
3. Assignment document signed by assignee and assignor, legalized.

MERGER**Filing Requirements:**

1. A Power of Attorney duly legalized up to the Libyan Consulate; and
2. Simple certificate attesting the merger legalized.

LICENSE**Filing Requirements:**

1. Power of Attorney, duly legalized up to the Libyan Consulate (from licensor and/or licensee);
2. License agreement legalized; and
3. Extract from licensee Commercial Register, legalized.

- Documents must be accompanied with a sworn English translation if made in a foreign language, and a sworn Arabic translation.

- Recordal cannot be filed except by the filing agent on PTO records.

DESIGN

Information:

PROTECTION TERM

5 years from filing date

EXAMINATION

As to form only

APPLICATION WITH MULTIPLE DESIGNS AND MODELS

Admissible for up to 50 designs and models

RENEWAL

For two consecutive terms of 5 years each

Requirements:

1. A Power of Attorney duly legalized up to the Libyan Consulate;
 2. Certificate of incorporation, legalized;
 3. Drawings of the design;
 4. Brief Description of the design; and
 5. Copy of priority document, if priority is claimed, certified.
- POA must be submitted at the time of filing.
 - Copy of priority document may be submitted within 3 months from filing date.

COPYRIGHT

Information:

No statutory laws on copyright and related rights are available in Libya.

DOMAIN NAME

Requirements:

1. An application form which can be submitted by mail, email or fax; and
 2. A letter on official letterhead requesting the domain name registration and the original is submitted by mail.
- Scanned copies of the documents to be sent by email prior to sending the original for confirmation.