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**LAWS AND SYSTEMS OF THE COMMERCIAL AND INDUSTRIAL PROPERTY IN LEBANON
RESOLUTION NO. 2385, ISSUED ON 17 JANUARY 1924,
AMENDED BY THE LAW OF 31 JANUARY 1946.**

General Wegan, the High Commissioner of the Republic of France in Syria and Lebanon, pursuant to the Decree of the President of the Republic of France, dated 23 November, 1920,

Pursuant to the Resolution No. 769 for organizing the temporary protection of industrial and commercial property rights, for persons who displayed in Beirut Exhibition,

Pursuant to the Resolution No. 865 for organizing the temporary protection of trademarks of factories and trade in Syria and Lebanon,

Pursuant to Resolutions Nos. 2044 and 2067, issued on 19 July 1923 with the establishment and organization of a bureau for the protection of the rights of intellectual property,

Pursuant to order No. 2166, issued on 3 December 1923 for the establishment and organization of a committee authorized to examine and review the draft resolution drawn up by the Director of the protection Bureau,

After perusal of the results of discussions of the above-mentioned Committee,

Whereas the States under mandate have no legislation concerning the intellectual property rights in conformity with the advanced economic situation in such states,

Whereas it is necessary to enact for the territories under the French mandate, a legislation which conforms with the applicable laws at all the other civilized nations,

Whereas the committee authorized to examine and review the draft submitted thereto, had unanimously approved it under the condition of effecting some amendments related to details. Such amendments were effected in the final text.

After the approval of the Finance Advisor and the legislative Advisor in the High Commissariat.

And upon the proposal of the Secretary General of the High Commissariat, has decided the following:

**PART TWO
INDUSTRIAL DRAWINGS AND DESIGNS**

Chapter One: General Provisions

Article 48

Any inventor of a drawing or a design, or those who have rights thereto, shall alone have the right of usufruct thereto, and to sell, or offer it for sale, and to authorize its sale, provided that such drawing or design is, previously filed.

Article 49

The Drawings and designs which contain the two advantages of being new and invented that is, they include external characteristics to make them of special form which differentiates them from known drawings and designs may be filed.

Article 50

Accordingly and on the basis of the specification mentioned in Article 49, it is possible to file the fabrics which contain illustrated or sewn paintings and illustrated and painted papers for wall decorations, and the new designs of caftans, coats, and hats for women and men, cosmetic accessories such as scrappers, socks holders, shoes, corsets, covers of flasks and flacons, bottles of wines and alcoholic drinks and beverages, and perfumes.... etc. cardboard packages and boxes used for pharmaceutical products, external wrapping of goods or of any other product... etc. The above-mentioned listing shall not prevent the possibility of filing other similar things which are not mentioned therein.

Article 51

If the new design can be considered an invention entitled to a certificate, it shall be protected as per provisions of Article 1 to Article 48 of this Resolution. But if the elements which make such a design a new one can be separated from the invention itself, then the inventor may, upon his own request, benefit from both protections resulting from the certificate and the filing, provided that he pays the fees determined for each of these two processes.

Article 52

Filing alone shall not give the right to ownership of a drawing or a design, but it ensures the person who files it the right to ownership consideration for himself, but the real ownership shall not be acquired except with the use of the drawings or designs.

Chapter Two: Filing, Dealings, Duration and Fees

Article 53

Supplemented by Article 10 of the Law of 31 January 1946:

The inventor of a drawing or design or his agent or official proxy shall send the filing application to the Director of the Protection Bureau. Such an application shall contain the following instructions, otherwise it is considered null and void:

1. Name, title, nationality and domicile of the inventor of the object required to be filed.
2. If necessary, the same information about the authorized agent or proxy shall be mentioned.
3. Number and type of the things needed to be filed; on condition this number does not exceed one hundred. Such things shall be numbered from 1 to 100.
4. The requested period of protection.
5. When necessary, things to be advertised for should be mentioned as per their serial numbers.

Article 54

The following shall be attached to the application, otherwise it is considered null and void:

1. The value of fees specified in Articles 65 and 66.
2. When necessary, the agency agreement or power of attorney with which the agent or proxy is officially known.
3. Two designs or two copies of anything required to be filed provided they contain the number of that thing.
4. Two copies of the particulars of each of the filed drawings or designs. Each of the particulars shall include a number as explained above, and signed by the person who is making the filing. Such particulars shall be written on a sheet of paper, the size of which shall be specified elsewhere. This sheet of paper shall include all necessary instructions about the thing, to which it is related, particularly if they are related to a design, the shape of which is enlarged or reduced. In such case, the scale of measurements used for that purpose should be shown.
5. Specimen of the stamp used for sealing the boxes in which the applicant put things requested to be filed with their particulars.

Article 55

The legal measurements for boxes, designs and particulars stipulated for in Article 54 shall be specified in special instructions to be issued later. Provisions of these instructions shall be strictly observed, otherwise the application shall be considered null and void.

Article 56

The Head of Protection Bureau shall enter the filing permit in a special register designated for that purpose, in which he shall mention the date, hour and serial number of the filing. The same instructions shall be shown on the sealed box submitted by the depositor.

Article 57

As mentioned in Paragraph five of Article 53, the depositor or applicant shall have the right to ask for advertising all the things he filed or just a part thereof at the time of filing without paying an additional fee. He shall reserve this right during the first five years following the filing but in this case the request for advertising shall necessitate the payment of the fee specified in Article 66. As long as the depositor has not asked for advertising the things he filed, the secrecy of the filing shall be fully maintained.

Article 58

The depositor, who wants to advertise all or part of the things he filed, shall submit an application therewith to the Director of the Bureau, to be enclosed with a design of each of the things he wants to advertise. Then the Bureau Director shall open the sealed box and take the requested thing or things, confirm their similarity to the submitted design, stamp one of the two designs taken from the box, date it and give it to the depositor. As for the second design, the same explanations shall be notarized thereupon and kept at the Bureau, at the disposal of whoever wants to see them. The remaining things not to be advertised shall be returned to the box which is sealed once again.

Article 59

Amended by Resolution No. 170, issued on 6 January 1937:

As mentioned in Article 58, the public may examine the copy of the published drawing or design kept at the Bureau free of charge, based on an application to be submitted to the Director of the Bureau.

Otherwise, the depositor and the owners of rights related to them from him and any person proved to be involved in a judicial claim related to the published drawing or design, may obtain a photographic copy of this drawing or design, on paying its expenses and also a fee of two(1) Lebanese Liras.

Article 60

If the advertisement for the filed things is not requested during the five years following the filing, the sealed box shall be put at the disposal of the depositor who may keep the filing in effect on all or part of the things in the box, whether he wants to keep the filing confidential or to be published, all in accordance with the same principles mentioned in Article 58. The only difference between the two filings is that things which are not requested to be filed shall be returned to the depositor.

Article 61

After the lapsed of the period of the first five years, and if the depositor requests to keep the filing confidential, the Director of the Bureau shall open the sealed box, take the requested duplicates with their particulars there from and put them all in a sealed envelope after authenticating each of the two copies, then the box shall be sealed again, to be returned to the depositor when necessary.

Article 62

The open or confidential filing requested to be effected before or on the lapsed of the first five years shall remain for the period of twenty five years, starting from the date of the first filing provided for in Article 53. At the lapsed of these twenty five years or before its lapsed the depositor or those who have rights therein, may ask for extension of filing for another twenty five years.

Article 63

At the beginning of the second twenty five years, the filing shall be declared as per the rules specified in Article 58 and onwards.

Article 64

Amended by Article 12 of the Law of 31 January 1946:

In case of lapsed of the first five years following the first filing and the depositor did not request either advertising the filed thing or extending the confidential filing, the Director of the Bureau shall open the box, and if the depositor does not ask for recovering it during the following month, the drawings and designs which may be of any benefit or use, shall be distributed among the industrial establishments in Lebanon in order to evaluate the benefit there from for schools of arts and industries. The name and address of the depositor shall be kept written on the things. Same distribution shall be effected on the drawings and designs, whose depositors do not request renewal of its filing after the lapsed of the twenty

five year period, as well as the drawings and designs which become the property of the public after the lapse of twenty five years thereupon.

Article 65

Amended by Resolution No. 170, issued on 6 December 1937:

Whether the depositor requests or does not request advertisement on filing, the first filing, provided for in Article 53 necessitates the payment of the following fees:

1. A lump sum of twelve Lebanese Liras. It shall not be possible to file more than one hundred drawings or designs in one application. This lump sum fee shall be decreased to six Lebanese Liras if the same person submits at one time many filing application for drawings and designs he invented or if he is the owner thereof; provided he always pays, for the first application, the fee of twelve Lebanese Liras. As for the person who submits many filing application at the same time but for different commercial shops or for different persons, he shall not benefit from this discount.
2. A fee of fifty Lebanese piastres shall be paid for each filed drawing or design. This fee shall be decreased to thirty Lebanese piastres if the number of filed drawings and designs is more than one hundred, and to twenty Lebanese piastres if the number is more than two hundred. Such discount shall be effected successively.

For example: If a person files four hundred and fifty printed designs for one shop, he shall pay the following fees:

Lebanese Liras

1) A lump sum of twelve LL 12 four lump sums each is LL 24

2) 100 fees, fifty piastres each 50 100 fees, thirty piastres each 30 250 fees, twenty piastres each 50

Total hundred sixty six Lebanese Liras one 166

Article 66

In case advertising is not requested on filing, but is requested at some other time during the five years following the filing, the advertising request shall enclosed with the following fees, otherwise such request shall be considered null and void:

1. A lump sum of 12 Lebanese Liras.
2. A fee of one Lebanese Lira for each drawing or design wanted to be published if the number of drawings and designs is not more than fifty, and fifty Lebanese piastres for the number over the fifty.

The following fees shall be paid for the confidential filing application on the lapsed of the first five years period following the first filing:

1. A lump sum fee of 12 Lebanese Liras.
2. A fee of 3 Lebanese Liras for each drawing or design to be kept confidential.

As for the open filing application which is submitted on the lapsed of the first five years following the first filing, the fees mentioned in the preceding paragraph concerning keeping the filing confidential shall be paid.

Lastly, the following fees shall be paid for the filing extension application for a new twenty five year period after the lapsed of the first twenty five years:

1. A lump sum fee of 18 Lebanese Liras.
2. The fee of 6 Lebanese Liras for each filed drawing or design.

Article 67

Advertising for a drawing or a design before filing even if such advertising is effected due to the sale of the product, shall not result in the lapse of the protection granted under this Resolution.

PART FOUR

Chapter One: Temporary Protection of Trade Fairs and Exhibitions Organized in Lebanon and Abroad – The Awards

Article 89

Amended by Article 12 of the Law of 31 January 1946:

The Inventions subject to certificates, trademarks of factories and trade, drawings and designs may be granted temporary protection in the trade fairs and exhibitions to be organized in Lebanon and abroad in case Lebanon officially organizes or participates in such exhibitions and fairs, provided certain processes or dealings mentioned hereinafter are completed. Besides, the organization by Lebanon of fairs and exhibitions or its Participation therein should be official in order to make this Resolution applicable.

Article 90

Amended by Article 12 of Law of 31 January 1946:

In fairs and exhibitions to be organized officially abroad and in which Lebanon officially participates, the person seeking the protection of certain object he display therein, shall submit a handwritten application to the official officer of the government of Lebanon in which he mentions the kind of that thing (an invention subject to certificate, trademark, a drawing or a design etc.), to be necessarily enclosed with a certificate from the commissioner of the fair or exhibition proving that the thing is really displayed.

Article 91

Amended by Resolution No. 170, issued on 6 December 1937:

On receiving the above mentioned documents, the officer of the Government of Lebanon shall enter them in a register specified for this purpose, and deliver to the exhibitor a certificate of entry of such documents against the payment of a lump sum of 5 Lebanese Liras. The exhibitor shall be given a three-week period from the date of displaying that thing which he wants to protect, to submit the application for its protections.

Article 92

Amended by Article 12 of the Law of 31 January 1946:

At the end of the exhibition, the official officer shall send the private register which was in his possession to the Protection Bureau in Lebanon upon the presentation of the certificate mentioned in Article 91. The person who got temporary protection may change it into final protection within one year starting from the date of closing the fair or exhibition. Then, the beginning of actual protection shall start from the opening date of the fair or exhibition. The applicant for final protection shall submit his application as per provisions of this Resolution in the Articles related to the protection of different rights concerned with commercial and industrial property ...etc.

Article 93

Amended by Article 12 of the Law of 31 January 1946:

In the fairs and exhibitions to be officially organized in Lebanon, the processes to be taken by exhibitors to secure temporary protection for their products, after which they may change into final protection if they deem it useful, shall be declared in a special decision to be taken before the opening of such fairs and exhibitions.

Article 94

Amended by Article 12 of the Law of 31 January 1946:

Owners of this temporary protection shall have the same rights granted in Lebanon under this Resolution to inventions for which certificates are issued, and the filed trademarks, drawings and designs...etc.

Chapter Two: Industrial and Commercial Awards

Article 95

Any person who wants to use an industrial or commercial award, shall, on mentioning that award, specify its type, and specifically identify the certificate of the exhibition or the official authority which granted it and the exact date on which that award was given.

Article 96

A person who gets an award in a personal capacity shall alone have the right to benefit there from, and may not transfer it to others with his trade. Apart from this, the award granted to products may be transferred with the product, and on assignment of the trade establishment, the assignee may benefit there from. Same method shall be applied in case the award is granted to a commercial or industrial establishment. The assignee of the establishment may benefit therewith as it is affiliated and related to the establishment. Whereas the award granted to a person in his capacity as an assistant shall not entitle to benefit there from unless the name of the establishment in which he was working is mentioned.

PART FIVE ILLEGAL COMPETITION

Article 97

The following shall be considered illegal competition:

1. Any violation of this Resolution, lacking any of the conditions which make the application of the penalties provided for in Part Six herein below possible.
2. Any action which the courts may consider and reach the conclusion that it is illegal competition.

Article 98

Amended by Article 11 of Resolution No. 84 issued on 30 December 1926:

The acts of illegal competition can be sued only by a claim to stop the competition or the harmful action.

Also a claim may be filed for inactivity and damage, except in the circumstances in which such acts are considered violations punished by the penal laws or this Resolution.

PART SIX VIOLATION AND PENALTIES

Chapter Three: Industrial Drawings and Design

Article 111

Amended by Article 13 of the Law of 31 January 1946:

Any damage inflicted knowingly upon any rights guaranteed under this Resolution to industrial drawings and designs shall be punished with cash penalty ranging from LL 25 to LL 250. In case the violator is assistant, or was assisted in the past, in any capacity, the wronged person shall be punished with imprisonment from two to six months in addition to the above penalty.

Article 112

Amended by article 13 of the Law of 31 January 1946:

If the act which necessitates the filing of the claim is related to a pharmaceutical product, the sentenced penalty shall not be less than LL 50.

Article 113

Amended by Article 13 of the Law of 31 January 1946:

If the guilt is repeated, in the sense of repetition as mentioned in Article (103) of this Resolution, the imposed penalty shall not be less than LL 250 and not more than LL 500. In addition, the guilty may be punished with imprisonment from two months to two years.

Article 114

Amended by Article 13 of Resolution No. 84 issued on 30 December 1926:

Any act preceding the filing shall not give the wronged party the right to institute a claim generated from this resolution. As for any act which happens after the filing but before publication, the claim resulting from article 111, however legal, may not be raised by the wronged party unless he proves the bad faith of the accused.

Chapter Four: Commercial and Industrial Awards

Article 115

Amended by Article 13 of the Law of 31 January 1946:

The Persons who ascribe to themselves by fraud, or claim fictitious awards and openly use them such as fixing it on the commercial signs, goods covers, trade papers and in writing invoices etc..., shall be punished with a cash penalty ranging from LL 5 to LL 250 and with imprisonment from three months to two years or only with one of these two penalties. The penalty shall not be less than LL 50 in case there is no penalty of imprisonment. The same punishment shall be imposed on the persons who try to persuade the public that they are holders of an award while in reality they are not, and persons who violate in any way the provisions of articles 95 and 96 of this Resolution

Part 3 Industrial Drawing and Designs

Article 710

Whoever inflicts knowingly, damage upon industrial drawings and designs registered and published as per rules and principles and guaranteed by applicable laws, shall be punished with a fine of LL 25 to LL 250.

Article 711

In case the offender is an assistant had assisted in the past in any capacity whatsoever, the wronged person, he shall be punished, in addition to the fine, with imprisonment with labor for a period from two months to two years.

Article 712

Whoever proves his ignorance of the registration shall be exempted from the penalty.

Provisions including the preceding parts

Article 713

In case the mark or label of identification, the certificate of invention or industrial drawing or designs which are legally registered, have not been published at the time of the commission of the act, the doer shall deserve the penalty in case it is proved that he knows or had knowledge of the registration.

Part 4 Fraudulent Competition

Article 714

Whoever engages by fraudulent means or false pretension, or by hinting with ill intention to the attraction of the customers of others to him, shall be punished, upon the complaint of the wronged, with a fine from LL 50 to LL 500. Punishment shall include any attempt at committing that offence.