**ALGERIA**

1. **TRADEMARK REGISTRATION IN ALGERIA**
2. **Procedure and Time Frame:**

Upon filing of a trademark application, the Trademarks Registry scrutinizes the same and if there is any identical or similar mark registered or pending, the Trademarks Registry issues show cause notices. The objections, if any are satisfactorily resolved then the application is accepted by the Registry and is advertised in the Trade Marks Journal (TMJ). There is No provision of public opposition. This jurisdiction does not have disclaimer practice (i.e., a practice whereby the applicant must disclaim any exclusive right to an element of a trademark that is not distinctive). The approximate time span from application to registration of a trademark in Algeria is 2 to 3 years.

2. **Multi-Class System is available in Algeria.**

**3. Period of Validity of Registration**

The trademark in Algeria is registered for ten years and is renewable for a term of ten years each.  A grace period of 6 months is allowed for late renewal of a trademark registration against payment of a fine.

**4. Information/Documents required for registration of a Trademarks/Service Marks:**

**a.** Name and address of the applicant

**b.** State or country of incorporation

**c**. Five representations of the trademark (a depiction of the mark an applicant seeks to register)

**d.** List of goods/services to be covered by the application

**e.** A simply signed Power of attorney for each application in French.

**f.** Official filing fee.

**g.** If priority is claimed then a certified copy of the priority document must be submitted within a period of six months.

**5. Flow Chart in case of Straight Application**

1. Filing is followed by Examination.
2. Examination is followed by Acceptance. ( if no objection by Registry)
3. Acceptance is followed by Publication.
4. Publication is followed by payment of final registration fee.
5. Payment of final registration fee is followed by issuance of Registration Certificate.

**(Total : 2 to 3 years in smooth /straight registration)**

**6**. **Assignment Applications**

Assignment of a trademark in Algeria is possible with or without the goodwill of the business.

1. A simply signed Power of Attorney by the assignee.
2. A duly notarized deed of assignment signed by the assignor and the assignee.
3. The name and address of the assignee.
4. The number and date of the registered trademark/service mark.

**7. License Applications**

 **Licenses can be recorded and an unrecorded License is invalid.**

1. **Certified Copy of the license agreement signed by the licensee and the licensor legalized up to the Algerian consulate.**
2. **Sworn French translation of the license agreement by local translator.**
3. **Particulars of the trademark applications/registrations subject to the license.**
4. **Power of attorney document simply signed by the licensee.**
5. **Power of attorney document simply signed by the licensor.**

**8. Changes in the name and/or address of the registrant**

Changes in the name and/or address of a registrant must be recorded.

1. Simply signed Power of Attorney.
2. Certified copy of the change in name document.
3. The number and date of registered trademark/service

**9. International Treaties**

Algeria is a member of the following international treaties relating to intellectual property:

1. Paris Convention
2. Madrid Agreement
3. Madrid Protocol
4. Nice Agreement
5. Lisbon Agreement.

**10. DOMAIN NAMES**

A domain name may be protected as a trademark only if the domain name is not merely a Web address but is used or intended to be used in connection with goods or services.

1. The Country Code Top-Level Domain (ccTLD) for this jurisdiction is: ".dz."
2. To obtain a domain name under the ccTLD in this jurisdiction there are no requirements of a local address or local business activity.
3. Domain name registrations cannot be assigned.
4. Domain name registrations cannot be licensed.
5. If a registration lapses due to failure to renew, it can be revived or restored by again applying to renew it.
6. The application to register a domain name as a trademark will not be examined for conflicts with prior trademarks.

An earlier-filed domain name registration cannot create rights effective against a later-filed trademark application filed by another.

In general, the courts apply the same principles for domain name disputes as are applied for trademark disputes.

1. **PATENT REGISTRATION IN ALGERIA**
2. **Information on Patents in Algeria**

Once a patent application is filed, it is examined as to its unity and form only. Novelty of the invention is not examined. However, as per the provisions of Patent Law No. 03-07 of 2003, an application should be filed before prior to the invention becoming known through its publication or use. Patent applications are valid for 20 years from the national filing date of the application and such validity is subject to the payment of the prescribed annual fees. Annuities are to be paid from the national filing date. Algeria is a signatory to the Paris Cooperation Treaty (PCT). A patent is valid for 20 years starting from the international filing date of the application and such validity is subject to the payment of prescribed annual fees. Annuities are to be paid from the international filing date.

In Algeria, working of patents is an official requirement. If this requirement is not met within 4 years of the date of filing or within 3 years from grant, compulsory licensing of the patent may result according to the provisions of law.

1. **Information and documents required for Patent registration in Algeria**
2. A Power of Attorney legalized and notarized for each application.

**b.** The name, address, nationality and profession or nature of business of the applicant and the inventor(s).

**c.** A simply signed deed of assignment, if the applicant is not the inventor.

**d.** A summary of the invention (about 100 words) in French and Arabic.

**e.** Three copies of the specification and claims in French and Arabic.

**f**. Three sets of the formal drawings, if any.

1. A certified copy of the priority document for a convention application, if claimed.
2. **Requirement of filing PCT Application**
	1. Power of Attorney which must be legalized and notarized for each application.
	2. The name, address and nationality of the applicant and the inventor(s).
	3. A copy of the international publication.
	4. Two copies of the specification and claims in Arabic.
	5. Two sets of the formal drawings in Arabic, if any.
	6. A copy of the international search report.
	7. A copy of the international preliminary examination report, if any.
3. **Patent Annuities**
4. The number and date of the filing of the patent.
5. The name, address and nationality of the applicant.
6. **Patent Assignment applications**

The rights to a patent may be assigned or transferred through succession. An assignment shall have no effect against third parties, unless it has been entered in the relevant records of the Patent Office.

1. A Power of Attorney legalized and notarized.
2. A notarized deed of assignment signed by the assignor and the assignee, along with its French translation.
3. The name, address and nationality of the assignee.
4. The number and date of the registered patent.
5. **Patent License Applications**

A patentee may license the right to use his invention. License agreements must be recorded to be effective against third parties.

1. A Power of Attorney legalized and notarized by the licensee.
2. A notarized license agreement executed by both parties along with its French translation.
3. The name, address and nationality of the licensee.
4. **DESIGNS REGISTRATION IN ALGERIA**
	* + 1. **Information and Procedure for Design Application in Algeria**

Designs and industrial models are protected in Algeria through registration with the competent office. Designs and industrial models created prior to filing the application are deemed novel. After filing of the design application, it is examined as to its form only and is accorded a filing date immediately. The application is kept secret during the first year of the duration term, unless the applicant requests publication. Applications are published in the Official Gazette after the lapse of the first year of protection period or earlier, upon the applicant’s request. There is no provision for filing opposition against a design in Algeria. Any infringement or unauthorized use of a registered design or industrial model is punishable under the current law.

* + - 1. **Validity of Registration**

The total duration of a design registration is 10 years from the filing date of the application. This is divided into two terms; the first year and the succeeding 9 years. Applicants must request the 9-year extension either on filing or within the first year; otherwise the registration will expire. A grace period of 6 months is allowed.

* + - 1. **Information and documents required for filing design applications**
1. A simply signed Power of Attorney for each application.
2. Seven identical copies of the representations of the design. Pictures of the design are requested instead of the short description of the design.
3. A certified copy of the priority document for a convention application to be lodged within two months from the filing date, if claimed.
4. A certified copy of the priority document for a convention application to be lodged within two months from the filing date, if claimed.
5. An explanatory legend explaining the novelty of the design and figures/pictures of each design.
6. The date of signature of the POA should be included in the filing document; accordingly, the filing will not be possible without the original POA document.
7. **COPYRIGHTS REGISTRATION IN ALGERIA**
8. **Information on Copyright registration in Algeria**

In Algeria protection of copyright and related rights is governed by Law No. 03-05 of 2003. The Implementing Regulations for the aforementioned law have not yet been passed.
The protection of copyright in Algeria is automatic without any formality according to the Berne Convention for the Protection of Literary and Artistic Works. Protection is granted to every Intellectual Property work of art no matter what its type, style, form of expression, value or purpose is.

Copyrightable works include written and oral works, computer software, dramatic and musical works, choreographic, cinematographic and photographic works, plastic and applied arts and folklore. Protection for the lifetime of the author plus 50 years following his/her death is granted.

The Ministry of Culture reserves the right to allow publication of the work of art, if the copyright holder has not done so, while providing the copyright holder or the heirs with fair compensation.

The Civil Court prosecutes all acts of copyright contravention and is entitled to confiscate revenues and counterfeit copies.