



Egypt – IP Case Study – infringement of trade marks in sportswear

Background

On 1 October 2018, a sportswear manufacturer based in the Netherlands, and selling its products in Egypt, identified a large retail shop in Cairo selling non-original shoes with their registered trade mark.

Action undertaken

The company hired an agent, who filed a complaint with the Trade Police Office. Subsequently, police officers visited the aforementioned retailer and identified all the shoes bearing the registered trade mark, which amounted to up to 30 shoes. The police officers asked the shop for the original invoice of these shoes to prove that they were original shoes.

The shop did not have the original invoice, which led to the filing of a lawsuit against the retailer, which was referred to the Cairo Criminal Economic Court. On 28 April 2019, the Cairo First Criminal Economic Court issued a ruling that the shop selling counterfeit goods must pay a fine of EGP 20 000 (EUR 600). While on 10 September 2019, the aforementioned shop filed an appeal against the judgment, on 15 September 2020, the Cairo Appeal Criminal Economic Court issued the final judgment that they must pay the fine of EGP 20 000 (EUR 600).

On 29 June 2021, the agent filed a compensation lawsuit against the retailer at the Cairo First Economic court, demanding to receive EGP 300 000 (EUR 10 000) as compensation.

On 25 October 2021, the Cairo First Economic Court, ruled that the shop should pay EGP 200 000 (EUR 6 000) as compensation to the EU-based company.

Lessons learned

- EU companies should have an Egyptian agent to inspect the products in the market.
- In Egypt, you should file the infringement claim yourself, as waiting for the authorities to intervene can be lengthy.
- According to the Egyptian legal framework, you have to be successful in the criminal court before filing the compensation claim.
- Court proceedings in Egypt can be lengthy.
- The amount of compensation awarded in Egypt is largely at the discretion of the judge assigned to the case.

Contacts us:

africaiphelpdesk.eu

E-mail: africa.iphelpdesk@euipo.europa.eu

Phone Number: Europe (Spain): +34 96 513 9810

Opening hours: Monday to Friday
8:30 to 18:30 (CET/CEST)

Follow us:

facebook.com/AfricaIPR

linkedin.com/company/africaipr

@AfricaIPR

