



European
Commission

AFRICA
IP SME HELPDESK

Guide to IPR Protection in EGYPT





Introduction

In Egypt, as in many countries, protecting intellectual property assets is of paramount importance for fostering innovation, encouraging business development, and ensuring fair competition. As a rapidly growing economy, a strong IP system is crucial for attracting both local and international investments, stimulating research and development, and enhancing the global competitiveness of businesses.

The protection of IP is not just a legal formality; it serves as a basis for the economic health of any nation. For businesses, IP rights provide a competitive advantage by safeguarding ideas, products, and services from unauthorised use. This legal protection helps in securing revenues, maintaining market differentiation, and establishing brand identity. Moreover, IP rights can be monetised through licensing agreements, joint ventures, and strategic partnerships, thereby adding value to businesses and contributing to economic growth.

For innovators, creators, and entrepreneurs, IP protection ensures that their efforts and investments are recognised and rewarded. It incentivises continuous innovation by offering creators the exclusive right to exploit their works for a set period. Without this protection, the risk of piracy, counterfeiting, and intellectual theft increases, discouraging the development of new ideas and stifling creative industries.

In Egypt, the importance of IP protection has gained significant recognition, as the country strives to meet global standards in safeguarding intellectual property rights. In this guide, we will explore the key aspects of intellectual property law in Egypt, its benefits to various stakeholders, and the steps necessary to protect and enforce IP rights within the Egyptian legal framework. Understanding these mechanisms is essential for anyone seeking to maximise the potential of their intellectual assets in today's competitive global market.

SECTION 1: COUNTRY OVERVIEW

1.1 GENERAL INFORMATION

Population: 106 million inhabitants in 2024, expected 157 million in 2050

GDP - per capita (PPP): \$15,091 - Year 2022

Main industries: textiles, food processing, tourism, chemicals, pharmaceuticals, hydrocarbons, construction, cement, metals, light manufactures





Investment opportunities:

- Green technologies
- Water treatment
- Oil and natural gas
- Suez Canal area
- Agriculture
- Digital transformation
- Health and medical industry

Language for IP applications: Arabic

SECTION 2: FINANCIAL SUPPORT PROGRAMMES ADDRESSED TO SMEs IN EGYPT

2.1 PROGRAMMES SUPPORTING SMEs IN EGYPT

The Micro-, small- and medium-sized enterprises Development Agency (MSMEDA) was established by Prime Minister's Decision No. 947 of 2017 and is coordinated by the Project Development Authority. Since its creation, it has launched several initiatives to support and fund SME growth.

Moreover, in 2020 the Micro, Small and Medium Enterprises Development Law No. 152 of 2020 was ratified. This Law works to activate the role of the Enterprise Development Agency as the responsible and supportive body for the MSME.

The Law provides a set of incentives and benefits to support and launch several projects so that it has a fundamental role in advancing economic development processes and providing opportunities.

Its main objectives are to reduce the informal sector, empowering women at the economic and social level and the implementation of the state's national plans, especially in the field of environmental protection.

One of these examples is the project Catalyzing Entrepreneurship for Job Creation that has been set up together with the World Bank and from which 200 thousand Egyptians have currently benefited¹.

¹ <https://projects.worldbank.org/en/projects-operations/project-detail/P162835>





2.2 EU PROGRAMS SUPPORTING SMES IN EGYPT

The European Bank for Reconstruction and Development (EBRD) is supporting the small and medium-sized enterprise (SME) sector in Egypt with a loan of up to \$25 million (€23.2 million) to the Export Development Bank of Egypt (EBank).

This financing facility will focus on Egyptian exporting SMEs, helping EBank to expand its services to new small business clients locally and regionally.

Moreover, in 2020, The European Investment Bank (EIB) signed an agreement of \$100 million with the Banque du Caire (BDC) to finance investments by small and medium-sized enterprises (SMEs) in Egypt².

Recently, in 2022, the EIB launched in cooperation with Banque Misr, two new technical assistance programs to further strengthen support for SME lending and increase financing for companies in the sectors most impacted by the COVID-19 pandemic³.

SECTION 3: IP PROTECTION IN EGYPT

The main Intellectual Property Rights in Egypt are trade marks, design rights, patents and copyright.

Over the years, Egypt ratified and became part of various International and Regional Agreements and Conventions.

3.1 INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

The main international Intellectual property agreements and conventions in which Egypt is part of are as follows:

- Paris Convention for the Protection of Industrial Property
- TRIPS Agreement [Agreement on Trade-Related Aspects of Intellectual Property Rights]
- Nice Agreement Concerning the International Classification of Goods and Services
- Madrid Agreement Concerning the International Registration of Marks
- Patent Cooperation Treaty
- Hague Agreement Concerning the International Registration of Industrial Designs

² <https://www.eib.org/en/press/all/2020-114-eib-and-bdc-provide-usd100-million-to-finance-smes-in-egypt>

³ <https://www.eib.org/en/press/all/2022-312-eib-and-banque-misr-strengthen-cooperation-to-support-smes-and-sustainability-financing>





- Berne Convention for the Protection of Literary and Artistic Works
- Washington Treaty on Intellectual Property in Respect of Integrated Circuit
- International Convention for the Protection of New Varieties of Plants

3.2 MAIN REGIONAL AGREEMENTS

Egypt is a member of the main regional agreements in Africa concerning trade, social and industrial development:

AfCFTA [AGREEMENT ESTABLISHING THE AFRICAN CONTINENTAL FREE TRADE AREA]

The AfCFTA is the world's largest free trade area bringing together the countries of the African Union (AU) and eight (8) Regional Economic Communities (RECs) aiming to create a single market for the continent. The aim of this legal framework is to enable the free circulation of goods and services across the continent and to improve African regional competitiveness and industrial development.

The [AfCFTA](#) came into effect on 1 January 2021 and as of January 2024, 54 of the 55 member states have signed it.

In 2023 the AfCFTA Protocol on Intellectual Property Rights (IPRs) was adopted by the AU assembly. This shows that the African market is aware of the importance of IP as an instrument for the development of the continent.

PAFTA [Pan-Arab Free Trade Area]

The PAFTA (Pan-Arab Free Trade Area), also known as the Greater Arab Free Trade Agreement was created to eliminate all non-tariff barriers, until reaching a free trade zone in 2005. PAFTA has no regional IP agreements, protocols or registration systems in place.

COMESA

Signed in 1994, the COMESA Agreement purpose was to establish a free trade area among member countries, which derived in a customs union in June 2009. The countries belonging to COMESA benefit from total duty exemption among them. Therefore, the rest of the countries belonging to this agreement can import high quality products produced in Egypt, such as rice and other agricultural products, textiles, metals or ceramics. This agreement enhances cooperation among members in the fields of industry, agriculture, transport and communications, as well as promotes information sharing between countries.





AGADIR

Agreement on the Establishment of the Free Trade Area between the Arab Mediterranean States was created in 2004, signed by Egypt, Morocco, Jordan and Tunisia. Its aim is to promote the export capacity of its members to the EU as well as attracting foreign and European investments.

EFTA

The European Free Trade Association (EFTA) was signed in 2007 by Egypt, Iceland, Liechtenstein, Norway and Switzerland, in order to establish a free trade protocol to promote bilateral trade between Egypt and EFTA and the economic integration into the Euro Med Zone.

EU-EGYPT ASSOCIATION AGREEMENT

This Agreement entered into force in 2004 and it creates a free-trade area between the EU and Egypt by removing tariffs on industrial products and making agricultural products easier to trade. It is relevant for food processing, agriculture and textile mainly, and its aim is to attract EU direct investment in Egypt, by reducing customs and other duties, quantitative restrictions and promoting exports from Egypt to Europe.

3.3 EGYPTIAN AUTHORITY FOR THE INTELLECTUAL PROPERTY

Egypt has recently adopted Law 163 of 2023 (on August, 13, 2023) which establishes the Egyptian Authority for the Intellectual Property (EAIP) as the only state body authorized to grant and register all types of intellectual property rights.

Authority over IP matters, so far divided among multiple administrative bodies, will be integrated and centralized under EAIP, which will also assist judicial, administrative and police authorities in IPR matters. It is expected that EAIP will become operational within a year from the Law's effective date that may be extended, if needed, for six months by virtue of a Prime Ministerial Decree.

3.4 TRADE MARKS

3.4.1 Legal Framework Overview

The main legislation applicable is the [Law on the Protection of Intellectual Property Rights \(No. 82 of 2002\)](#), which was superseded by the [Law on the Protection of Intellectual Property Rights \(No. 178 of 2020\)](#).





The competent administration is the [Trade marks and Industrial Designs Office Internal Trade Development Authority Ministry of Trade and Industry \(ITDA\)](#), established in 1940.

As regards post registration proceedings, such as trade mark invalidations or cancellations, or second instance appeals, the competent administrations shall be the Courts.

3.4.2 Trade mark Registration Proceeding

Trade marks are defined in Egypt as signs distinguishing goods, products or services, represented in a distinctive manner. The description of that representation does not include non-traditional trade marks, so, only trade marks, service marks, collective marks, certification marks and colour marks are allowed.

Multi-class applications are possible and class headings are acceptable. It is possible to file trade marks directly before the ITDA (national trade marks) or before the WIPO (as an international trade mark designating Egypt).

It normally takes around 18 months to complete registration. From filing to examination, it usually takes around 12 months. If examination is satisfactory, the application is published for opposition (approximately 2 months after the examination decision), for a 2-month period. Then, if no oppositions are issued, the trade mark is registered. The issuance of the registration certificate could take up to 2 months.

The examination applies to formal, substantive, relative and absolute grounds. This makes it very relevant to carry out a prior availability search, to avoid objections based on existing trade marks.

Registration is granted for a 10-year period, since the application date, and it can be renewed for additional 10-year periods, indefinitely.

3.4.3 Post-Registration

No declaration of use needs to be filed for keeping the trade mark alive at any time, not even with the renewal.

However, a trade mark registration is vulnerable to cancellation if the trade mark has not been used for a period of 5 consecutive years unless the owner can prove that non-use of the trade mark was for reasonable cause.

Any infringement or unauthorized use of a registered trade mark is punishable under the provisions of the current trade mark law.





The renewal can be filed from 12 months before the renewal date and six months after the renewal date.

What else after these six months? Is restoration possible? And until when?

3.4.4 Relevant information

- ✓ National trade marks require a Power of Attorney legalized up to the Egyptian Consulate and if priority is claimed, a certified copy of the Priority document. A translation into Arabic is required.
- ✓ No document is required for filing international trade marks.
- ✓ For international trade marks, no certificate of registration is issued, just a granting notification.
- ✓ Certain imported goods cannot legally enter Egypt unless the merchandise is authorized by the General Organization for Export and Import (GOEIC). A trade mark registration is required, whether national or international. [Further information on Section 4 below].

3.5 PATENTS AND UTILITY MODELS

3.5.1 Legal Framework Overview

Inventions can be protected in Egypt through patents and utility models. Patent and utility model registrations in Egypt are ruled by Law No. 82 of 2002 for the Protection of Intellectual Property Rights, which was superseded by the [Law on the Protection of Intellectual Property Rights \(No. 178 of 2020\)](#).

The competent administration is the Egyptian Patent Office ([EGPO](#)), established in 1951.

According to Book 1, Part I, Article 1 of Law No. 82 of 2002, a patent shall be granted, “to any industrially applicable invention, which is new, involves an inventive step, whether connected with new industrial products, new industrial processes, or a new application of known industrial processes.”

Regarding utility models, article 29 establishes that they may be granted for “any new technical addition in the structure or composition of devices, tools, equipment or their components, or products, processes or means of manufacturing the above, and the like that is in current use”.

The right to the patent/utility model belongs to the inventor or his successor in title.





Law No. 82 of 2002 stipulates that a patent or utility model application should be filed before the invention has become known worldwide.

3.5.2 Patents and utility model Registration Proceeding

Prosecution paths: There are two routes for the protection of inventions in Egypt: national direct filing [claiming priority of a foreign previous patent/utility model application or not] or as the entry into national phase of a PCT application [deadline 30 months from the priority date].

Proceeding: Once the application is received, it is formally examined.

In both cases, the application is subject to substantive examination. Once the application is accepted, it is automatically published in the Official Gazette.

Any interested party may oppose the grant of a patent within 2 months as of the date of publication. The opposition is submitted before the Patent Office.

It takes an average of 3 years from the filing date of the patent application to reach the grant.

Annuities are to be paid every year as of the filing date of the application, even before the patent/utility model is granted. However, according to the current patent law, there is a one-year grace period from the due date with a late fine to settle payment of the annuity.

A patent is valid for **20 years** starting from the date of filing the application, **7 years** in the case of utility models.

The right to a patent/utility model may be assigned *inter-vivos* or transferred through succession. The assignment of patent applications and granted patents must be made in writing. An assignment shall have no effect against third parties, unless it has been published in the Official Gazette and duly entered in the relevant records of the Patent Office.

Working of patents/utility models is compulsory in Egypt. In the event that inventions are not exploited within 3 years as of the date of the grant, or within 4 years from the filing date, whichever of the two periods is longer, or if working ceases for one year without an acceptable reason, then the patent/utility model will be subject to compulsory licensing under the provisions of the law. If within 2 years as of the grant of the compulsory license, the licensee does not exploit the patented invention, any interested party may apply to the Patent Office demanding the cancellation of the subject patent for non-working.

Enforcement: Infringement of the rights of a patentee is punishable under the provisions of the current patent law. Holders of rights can enforce them before courts





through patent infringement actions, including preliminary injunctions.

Formalities:

- Power of attorney legalized up to the Egyptian Consulate.
- No additional fees for exceeding a determined number of claims are applicable.
- Translation into Arabic + English translation of the title and abstract.
- If priority is claimed, a certified copy of the Priority Document together with an Arabic translation thereof.
- Egyptian Consulate should be filed with the application or within 4 months from the filing date.
- In case the applicant is a legal entity, an Extract from the commercial register or a certified copy of the Certificate of incorporation, legalized before the Egyptian Consulate.
- Foreign applicants must appoint an Egyptian registered patent attorney to represent them before the Patent Office.

3.6 DESIGNS

3.6.1 Legal Framework Overview

Industrial design protection in Egypt is governed by Law No. 82 of 2002 for the Protection of Intellectual Property Rights, which was superseded by the [Law on the Protection of Intellectual Property Rights \(No. 178 of 2020\)](#).

The competent administration is the Trade marks and Industrial Designs Office Internal Trade Development Authority Ministry of Trade and Industry (ITDA), established in 1940.

According to Book 2, Part II, Article 119 of Law No. 82 of 2002, 'an industrial design is any composition of lines or any three-dimensional form whether or not associated with colors provided that such composition or form gives a special appearance of novelty and is industrially applicable'. Thus, the legal requirements are **novelty** and **industrial applicability**.

Any natural person or legal entity, Egyptian or foreign, belonging to, domiciled or active in a country or an entity that is a member of the World Trade Organization or that accords reciprocity to Egypt, shall have the right to file an application to register an industrial design at the Egyptian Trade Registry Department, and whatever rights derived





therefrom, in accordance with the provisions of Law No. 82 of 2002.

Locarno classification is used in the Egyptian practice.

Design loses its novelty when:

- it has been disclosed to the public through description or use before filing for registration. However, this disclosure doesn't affect its novelty if it occurs after registration application in a World Trade Organization member country or a country with reciprocity to Egypt, or if disclosed in exhibitions, conferences, or scientific publications within six months before filing in Egypt.
- It is not substantially different from a prior design or if it's intended for a different type of product than previously registered.

3.6.2 Designs Registration Proceeding

Prosecution paths: There are two routes for the protection of industrial designs in Egypt: national direct filing [claiming priority of a foreign previous design application or not] or through the Hague System.

Proceeding: The design application is filed before the ITDA and it undergoes both to formal and substantive examination (novelty).

The application may comprise a number of designs not exceeding 50, provided that all such designs form one coherent unit

The term of protection is **10 years** from the filing date that can be extended for a period of extra **5 years**.

The average processing time from filing till registration of an industrial design in Egypt is 18- 24 months.

Any interested party may oppose the grant of a patent within 2 months as of the date of publication.

Enforcement: Infringement of the rights is punishable under the provisions of the current patent law. Holders of rights can enforce them before courts through design infringement actions, including preliminary injunctions.

Formalities:

- Set of the formal drawings of photographs (front, rear, top and bottom) of the design.
- Description of the design.





- Power of attorney in Arabic legalized up to the Egyptian Consulate
- Translation into Arabic + English translation of the title and abstract
- If priority is claimed, a certified copy of the Priority Document together with an Arabic translation thereof.
- If the applicant is not the creator, a Deed of Assignment, legalized up to the Egyptian Consulate should be filed with the application or within 4 months from the filing date.
- In case the applicant is a legal entity, an Extract from the commercial register or a certified copy of the Certificate of incorporation, legalized before the Egyptian Consulate.
- Foreign applicants must appoint an Egyptian registered patent attorney to represent them before the Patent Office.

SECTION 4: COMPULSORY REGISTRATION BEFORE THE GOEIC

- Under Egyptian laws, certain imported goods cannot legally enter Egypt unless the merchandise is authorized by the General Organization for Export and Import (GOEIC).
- The Ministry of Trade and Industry had established a register for factories and companies owning trade marks qualified to import products to the Arab Republic of Egypt at the General Organization for Export and Import Control. These products imported for trading ~~may not be released unless~~ they are produced by the registered factories or imported by companies that own the trade mark or their registered distribution centers (all registered in the Egyptian GOEIC records).
- List of products: Home textiles, Shoes, Leather bags, Tableware, cutleries, and utensils (kitchenware); Sanitary ware, tubs, sinks, toilets and toilet seats; Toilet paper, sanitary & cosmetic papers and baby diapers; Door locks; LED lamps, excluding LED lamps for vehicles, among others.

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