



Introductory note
on the draft amendment of the Enforcement Decree No. 2-00-368
of the law 17-97 on the Protection of Industrial Property
as amended and supplemented by the draft law 23-13

The protection of Industrial Property at the national level is regulated under the provisions of the law 17-97 on the Protection of Industrial Property, as amended and supplemented by the draft law 23-13. The said draft law provides for the protection of industrial property rights in accordance with international standards laid down in various international treaties related to this field which the Kingdom of Morocco has signed.

The project law 23-13 aims to strengthen the protection of industrial property taking into consideration the continuous change that characterizes the protection of the rights related to this area. The above-mentioned project is built around five main lines:

- 1) Improving the patent system,
- 2) Consolidating the national trademark system,
- 3) Reforming the national system of industrial designs,
- 4) Strengthening the enforcement of the industrial property rights,
- 5) Modernizing the procedure related to the submission of applications for industrial property rights.

The decree implementing the law 17-97 specifies the organization responsible for industrial property, the contents of industrial property titles' registers that are set by a ministerial order and defines the protection procedures for patents, designs and and models and also trademarks.

Therefore, in order to implement the changes and new provisions provided by the project law 23-13, the current draft decree amending and supplementing the decree No. 2-00-368 was established to define:

- The composition of the selection commission of industrial property advisors as well as the list of diplomas giving access to the said profession.
- New provisions for: the harmonization of the industrial property rights publication procedure, procedures relating to the patent validation system with reference to the ministerial order so as to determine the validation organism, the procedure for submitting observations by third parties for all industrial property rights, the withdrawal of applications for industrial property rights, the filing of divisional applications and the dating system.

Moreover, this draft decree includes provisions for the simplification of the protection procedures especially through electronic filing of some industrial property rights, the limitation of payment of renewing's fees and the reduction of required documents for the protection application.

These are the main amendments to that project decree.