



Republic of Tunisia



*Ministry of Industry, Energy
And small and medium enterprises*

*National Institute for
Standardization And
Industrial Property*

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☞ INNORPI is a non administrative public institution, endowed with a civil status and financial autonomy, created in 1982.

☞ It is placed under the aegis of the Ministry in charge of industry, energy and SME's.

☞ It undertakes all activities relating to standardization , quality of goods and services, and the protection of industrial property.

☞ Represents Tunisia at WIPO, ISO.

Industrial Property

- **The protection of industrial property is as ancient as the Paris Convention dated 1883, of which Tunisia is a member.**
- **Within industrial property field, INNORPI is in charge of:**
 - **The reception and examination of:**
 - ☞ **Patent applications;**
 - ☞ **Industrial designs;**
 - ☞ **Trade marks, and**
 - ☞ **Integrated circuits**
 - **The registration of licensing contracts and other acts**

International Commitments of Tunisia in Industrial Property Field

- **Tunisia is a member of 10 international conventions, the two latest ones are:**
 - ⇒ **Patent Cooperation Treaty, since December 2001;**
 - ⇒ **Budapest Treaty on International Recognition of Deposit of Microorganisms for the Purpose of Patent Procedure, since May 2004.**

- **1995 : Tunisia is member of WTO/TRIPS agreement.**
- **Tunisian legislation reviewed in compliance with the international conventions.**

- **In fact, 4 laws have been adopted:**
 - ☞ **Law N 2000 – 84 dealing with the protection of patents;**
 - ☞ **Law N 2001-20 dealing with the protection of integrated circuits;**
 - ☞ **Law N 2001-21 dealing with the protection of industrial designs;**
 - ☞ **Law N 2001-36 dealing with the protection of trademarks;**

All these laws have been examined by the TRIPS Council in 2001.

Effects of Tunisia Access to Trips Agreement

- ⇒ **Extension of patentability to all fields of technology such as medicines, pharmaceutical products and chemical products for agriculture**

Since 1995 till 2008: around 1750 applications related to pharmacy had been received

The protection through patents new features

Examination's procedure: especially substantive examination

INNORPI recruited examiners:

- Industrial chemistry engineer
- Pharmacist
- Technician in food industry
- Industrial engineer

Substantive examination

Article 30 (law n 2000-84) of August 24, 2000, relating to patents.

INNORPI shall ascertain whether in
terms of substance:

- **the subject matter claimed is not manifestly excluded from patentability such as:**
 - Methods of therapeutic and surgical treatment of the human body or of animals and diagnostic methods (these provisions shall not apply to preparations or products and compositions used for the purposes of the application of any such method: pharmaceutical products)
 - Purely ornamental creations
 - discoveries, scientific theories and mathematical methods

- schemes, rules and methods for performing mental acts, playing games or doing business
- programs for computers, and
- presentations of information
- All types of live substances existing in nature

A patent may not be issued for:

- varieties of plants, animal breeds or essentially biological processes for the production of plants or animals, provided that this provision shall not apply to biological processes used in medicine or to products obtained using such processes;

➤ inventions the publication or implementation of which would be contrary to morality, public policy, public health or the protection of the environment.

• The invention shall be considered capable of industrial application where its subject matter may be manufactured or used in any kind of industry or in agriculture

- **The description shall be sufficiently clear and complete for a person skilled in the corresponding field of technology to carry it out.**
- **The claims shall be based on the description and shall specify the extent of the patent protection sought.**

- **A patent application may not apply to more than one invention or to one set of inventions so connected between themselves that they constitute a single general inventive concept.**
- **The applicant who wishes to avail himself of the priority of an earlier application filed in a foreign country that is a member of the Paris Union or of the World Trade Organization is obliged to file a written statement with his application, and to pay the priority fee.**

- **The patent application shall comprise:**
 - A request
 - A description of the invention
 - claims
 - drawings (if required for the understanding of the description)
 - A descriptive abstract of the invention
 - All these documents must be in duplicate

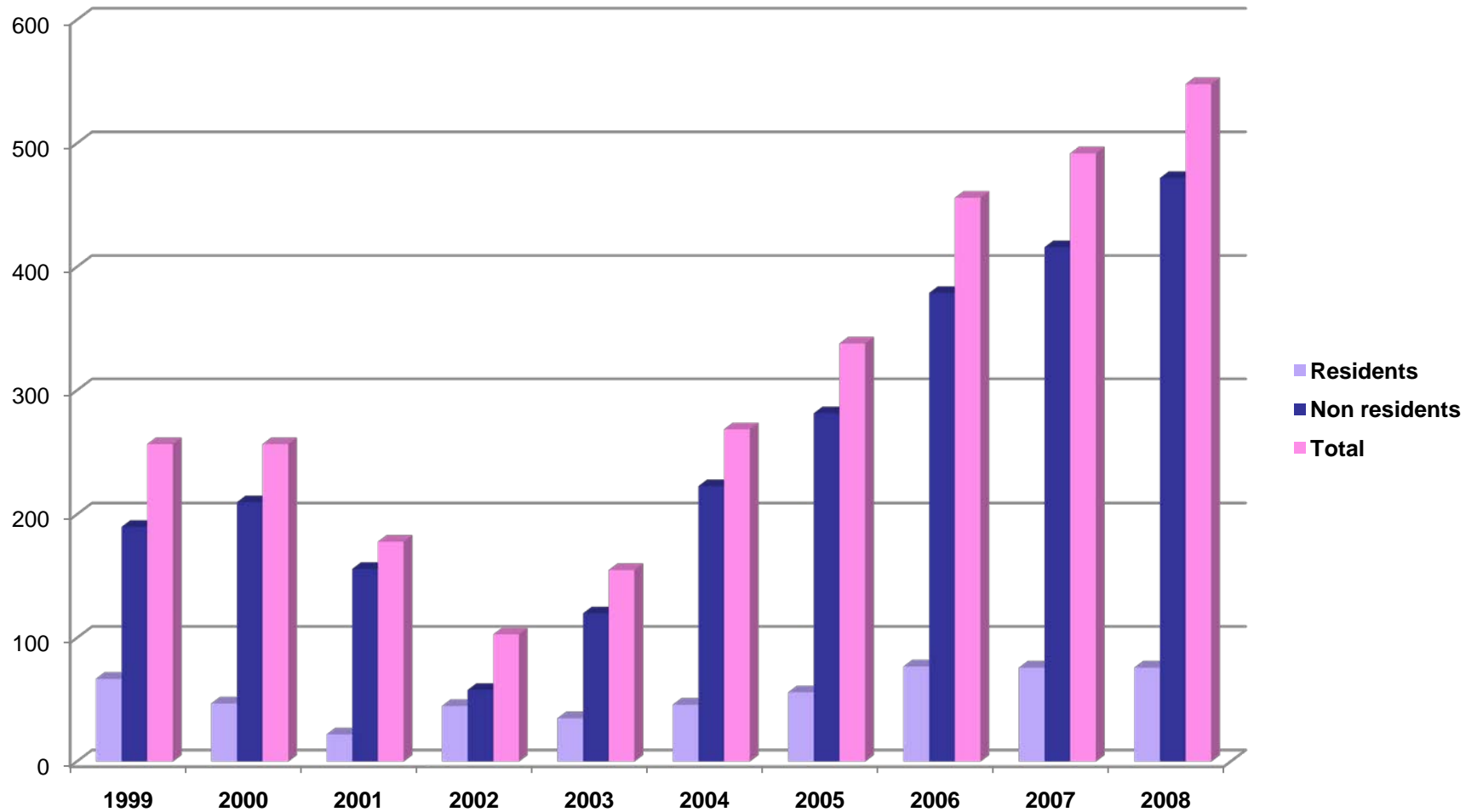
- ❖ Where the entity responsible for industrial property (INNORPI) considers that the conditions set forth have not been met, it shall inform the applicant or his agent accordingly and invite him to amend his application or to make comments within a period of three months of the notice served on him to that end.
- ❖ If in the course of that period the applicant rectifies his application, the examination of the application shall resume, failing which the entity responsible for industrial property shall reject the application.

- ❖ Where the entity responsible for industrial property considers, in the light of either the comments or the amendments made by the applicant , that the conditions set forth have been met, the application shall be entertained. Otherwise the entity responsible for industrial property shall inform the applicant and invite him to meet the said conditions within three months of notice having been served on him to that end.

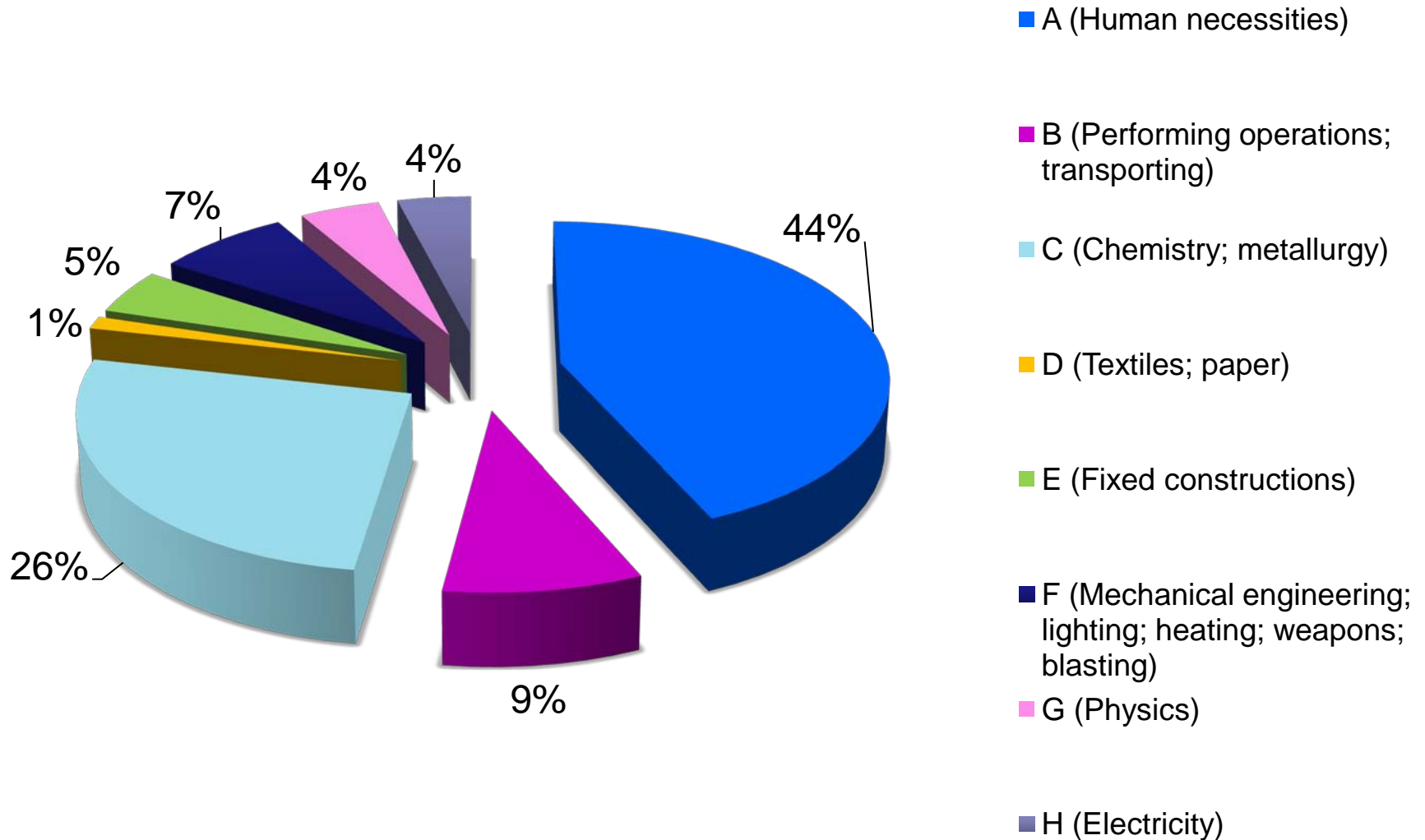
- ❖ If at the end of the period set the entity responsible for industrial property considers that the said conditions have still not been met, it shall reject the application.
- ❖ Any rejection decision shall be accompanied by a statement of reasons and be notified in writing to the applicant or his agent by registered letter with advice of receipt.

INNORPI in figures : Industrial Property

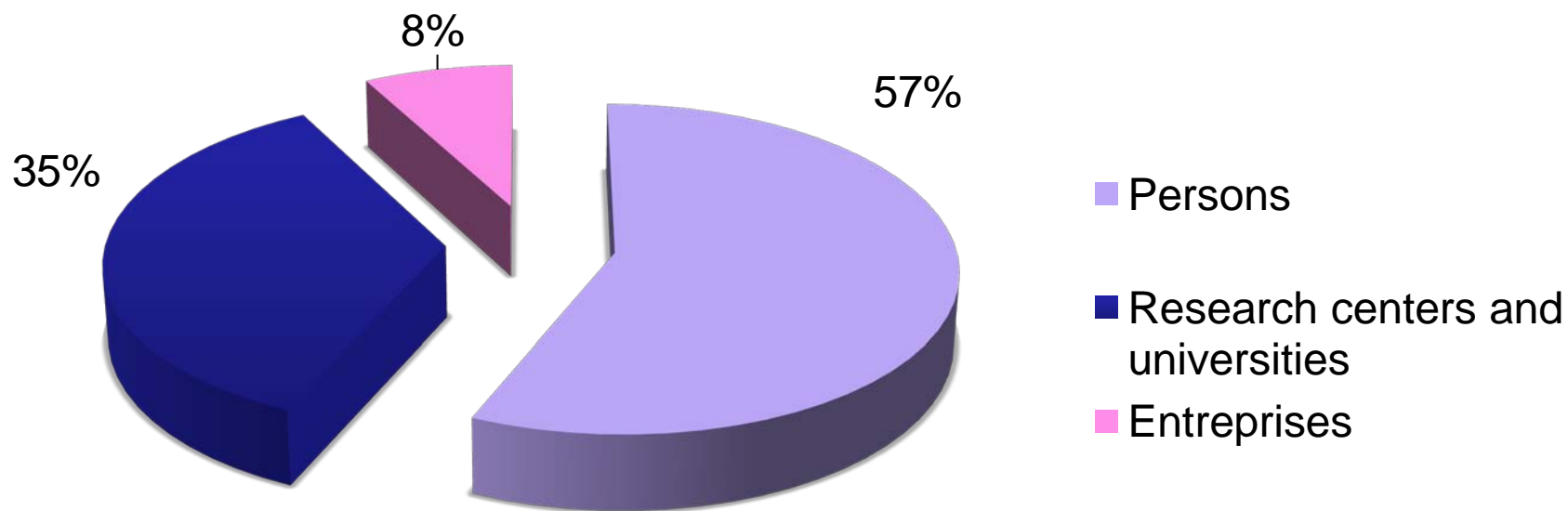
Evolution of patents registration during the period of 1999 - 2008



Distribution of patent applications filed in 2008 according to IPC



Distribution of Tunisian patent applications filed in 2008



At the end of 2008 INNORPI managed around :

- **62900 Trademarks**
- **5550 Patents**
- **3150 Industrial designs**

INNORPI partners :

In Tunisia :

- **Handicrafts National Office (ONA)**
- **Technopoles**
- **Research Centers and Universities**
- **SMEs**

Bilateral cooperation :

- **WIPO**
- **EPO**
- **INPI/France**
- **OMPIC/Morocco**
- **INAPI/Algeria**
- **IP Office/Syria**

***THANK YOU FOR YOUR
ATTENTION***