

## Middle East Intellectual Property Newsletter Vol. 95 Enforcement Remedies in the Middle East: UAE, Saudi Arabia, Türkiye, and Jordan

### Introduction

The Middle East is a strategically important region for global businesses across industries such as automotive, consumer goods, pharmaceuticals, and technology. However, these markets also pose significant challenges when it comes to counterfeiting and intellectual property (IP) infringement. For companies with registered trademarks, patents, designs, or copyrights, understanding how to enforce their rights in these jurisdictions is necessary for protecting their brands and ensuring market integrity.

This Special Newsletter serves as a practical reference for companies seeking to understand and leverage available enforcement mechanisms in the United Arab Emirates (UAE), Saudi Arabia, Türkiye, and Jordan. These countries have emerged as key trading partners and consumer markets, while also experiencing persistent IP enforcement issues, particularly with counterfeit goods entering through complex supply chains.

The UAE, Saudi Arabia, Türkiye, and Jordan has distinct enforcement mechanisms, shaped by their respective legal traditions, government structures, and economic priorities. This diversity means a one-size-fits-all enforcement strategy does not work—companies need to adapt their approach to each market's realities.

### Enforcement Remedies in the United Arab Emirates (UAE)

#### **Overview**

The United Arab Emirates is one of the most active jurisdictions in the Middle East when it comes to intellectual property enforcement. As a major trade and logistics hub, the country faces continuous challenges from counterfeit goods entering its ports and free zones. To address this, the UAE offers a combination of border control measures, market surveillance, administrative actions, and judicial remedies—all governed by federal IP laws that apply across the seven emirates.

#### **Key Enforcement Authorities**

Authority	Role	URL
Ministry of Economy (MoE)	Oversees trademark and patent registration and coordinates IP policy at the federal level.	<a href="https://www.moec.gov.ae">https://www.moec.gov.ae</a>
UAE Customs (each emirate has its own Customs authority)	Monitors incoming shipments for counterfeit goods and handles border enforcement.	<a href="https://www.Customs.ae">https://www.Customs.ae</a>
Departments of Economy (DED) in each emirate	Handles market raids, administrative complaints, and in-market enforcement.	Example: <a href="https://www.dubaidet.gov.ae/en/">https://www.dubaidet.gov.ae/en/</a>
Police (IP Units)	Assist in market raids and investigate IP crimes in coordination with DED and Customs.	Varies by emirate
Public Prosecution	Handles criminal cases related to IP infringements.	Varies by emirate

#### **Relevant Laws**

- Federal Law No. 36 of 2021 on Trademarks<sup>1</sup>
- Federal Law No. 11 of 2021 on Industrial Property Rights (covering patents, utility models, designs)<sup>2</sup>
- Federal Law No. 38 of 2021 on Copyright and Related Rights<sup>3</sup>

While the federal framework is comprehensive—covering trademarks, patents, designs, utility models, and copyrights—the practical enforcement responsibilities of various authorities can differ in scope.

- **Customs Authorities:** UAE Customs, including its counterparts in individual emirates, typically focus on the interception of counterfeit goods at the border. In practice, they often concentrate on visible violations such as trademark and copyright infringements. When it comes to patents, designs, and utility models, these matters can be more technical and may require additional evidence and expert assessments. Consequently, Customs enforcement in these areas might be less direct and often involves coordination with specialized bodies or judicial proceedings.
- **Free Zone Authorities:** Many Free Zones (for example, JAFZA and DMCC) have their own administrative enforcement mechanisms. These mechanisms are generally geared toward handling more straightforward cases—often related to trademarks and copyrights—within their jurisdiction. Enforcement actions regarding patents, designs, or utility models may fall outside their immediate purview and might necessitate referral to federal courts or specialized agencies that handle the technical and legal complexities of these rights.
- **Judicial and Specialized Bodies:** For infringements involving patents, designs, and utility models, the resolution may require more in-depth judicial review or intervention by bodies that specialize in industrial property rights. This reflects the inherent complexity of these intellectual property areas, which typically involve technical examinations and evidence beyond the routine checks performed at the border or within free zones.

### **Border Measures**

#### **Customs Recordation:**

The UAE offers voluntary trademark recordation with each emirate's Customs authority.

- **Fees:** Varies by emirate, typically around USD 500-600 per class, per emirate.
- **Validity:** 1 year, renewable.

#### **Ex Officio Enforcement:**

Yes—Customs authorities can act on their own initiative if they detect suspected counterfeits, even if no complaint has been filed.

#### **Notification to Rights Holders:**

When Customs detects a suspicious shipment, they:

- Notify the brand owner's representative (if a recordation exists).
- Provide photos and shipment details (e.g., product type, volume, origin).
- Allow the right holder 3 working days to confirm infringement and file a formal complaint.

If no recordation exists, Customs is not required to notify the brand owner, but they still have the power to inspect and seize suspected counterfeit goods under broader anti-counterfeiting laws.

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<sup>1</sup> <https://www.wipo.int/wipolex/en/legislation/details/21302>

<sup>2</sup> <https://www.wipo.int/wipolex/en/legislation/details/21253>

<sup>3</sup> <https://www.wipo.int/wipolex/en/legislation/details/21365>

**Sanctions:**

- Fines: Up to AED 1 million (~USD 270,000).
- Imprisonment: Up to 2 years.
- Product Disposal: Destruction or re-export (depending on case and emirate policy).
- Repeat Offenders: Higher fines and possible trade license cancellation.

**Special Notes:**

- Security Deposit: May be required for court proceedings, usually USD 5,000-15,000.
- If Customs decides to re-export rather than destroy, brand owners are consulted but do not have the final say. However, the final decision rests with Customs, who may choose to re-export even if the brand owner prefers destruction.

**Market Raids**

**Administrative Complaints:**

Right holders can file complaints directly with the Department of Economic Development (DED) in each emirate to target counterfeit goods found in the market.

- Required Documents: Trademark certificate, notarized and legalized Power of Attorney (POA), and evidence of infringement (samples, invoices).
- Timeline: Typically, 5-7 working days to schedule a raid.

**Ex Officio Enforcement:**

Yes–DED inspectors conduct routine inspections and can seize goods directly if they detect counterfeits.

**Raid Process:**

- Inspectors visit the premises (shops, warehouses) and seize infringing goods.
- A seizure report is drafted on-site.
- Goods are either stored in DED warehouses or left in the infringer's custody (with conditions).

**Sanctions:**

- Fines: Starting from AED 15,000 (~USD 4,100) and increasing for repeat violations.
- Closure: Shops can be temporarily shut down for serious violations.
- Product Disposal: Destruction (brand owners may attend if desired).

**Judicial Remedies**

**Civil Litigation:**

Brand owners can file civil cases seeking:

- Injunctions to stop further infringement.
- Damages (although compensation tends to be modest unless substantial harm can be proven).
- Product Seizure and Destruction Orders.

**Criminal Complaints:**

For serious infringements (e.g., large-scale counterfeiting), brand owners may file a criminal complaint with the police, triggering a criminal investigation.

- Outcome: Criminal court may impose fines, imprisonment, and product destruction.
- Timeframe: Criminal cases typically take 12-24 months.

### **Special Notes**

- The UAE is known for preferring administrative resolutions over lengthy court battles, particularly for first-time offenders.
- Right holders are encouraged to train Customs and DED officials on how to spot counterfeits, as product training sessions are well-received by UAE enforcement bodies.
- Free Zones: Enforcement within free zones can be more complex, as zone authorities have separate powers and often prefer mediation over immediate seizures.
- Repeat Offenders: Penalties escalate sharply for repeat violators—businesses found selling counterfeits multiple times risk losing their trade licenses permanently.

### **Conclusion**

The UAE offers a multi-channel enforcement environment, making it possible for right holders to act at the border, in the market, or through the courts. The key to success is early trademark recordation, strong local representation, and proactive monitoring—all supported by quick response when alerts come in.

For companies serious about protecting their brands in the UAE, a layered enforcement strategy that combines border and market actions is the most effective approach.

### **Enforcement Remedies in Saudi Arabia**

#### **Overview**

Saudi Arabia is one of the largest and fastest-growing markets in the Middle East, attracting global brands across diverse industries. With its growing emphasis on intellectual property protection, the Kingdom has centralized its IP enforcement framework under the Saudi Authority for Intellectual Property (SAIP). Coupled with strict penalties for counterfeiters and mandatory trademark recordation for Customs action, Saudi Arabia stands out as one of the most structured enforcement environments in the region.

#### **Key Enforcement Authorities**

Authority	Role	URL
Saudi Authority for Intellectual Property (SAIP)	Oversees all IP rights, manages trademark recordation, handles policy, enforcement coordination, and public awareness.	<a href="https://www.saip.gov.sa">https://www.saip.gov.sa</a>
Zakat, Tax and Customs Authority (ZATCA)	Handles border measures, including inspections and seizures.	<a href="https://zatca.gov.sa">https://zatca.gov.sa</a>
Ministry of Commerce (Anti-Commercial Fraud Department)	Handles market raids and in-market enforcement, with a focus on consumer protection and commercial fraud cases.	<a href="https://mc.gov.sa">https://mc.gov.sa</a>
Public Prosecution	Investigates serious IP crimes and handles criminal prosecution in court.	<a href="https://www.pp.gov.sa">https://www.pp.gov.sa</a>

#### **Relevant Laws**

- GCC Trademarks Law, applied via Royal Decree No. M/51 of 2014<sup>4</sup>
- Copyright Law (Royal Decree No. M/41 of 2003)<sup>5</sup>
- Patents, Layout Designs, Plant Varieties & Industrial Designs Law (Royal Decree No. M/27 of 2004)<sup>6</sup>

<sup>4</sup> <https://www.wipo.int/wipolex/en/legislation/details/16703>

<sup>5</sup> <https://www.wipo.int/wipolex/en/legislation/details/19412>

<sup>6</sup> <https://www.wipo.int/wipolex/en/legislation/details/19744>

These laws apply across all regions of Saudi Arabia and cover trademarks, patents, industrial designs, layout designs, plant varieties, and copyrights. However, enforcement responsibilities are divided among different authorities, with some having a more limited scope:

- **Saudi Customs (ZATCA):** Primarily enforces trademark and copyright violations at borders by intercepting counterfeit goods. Patents, industrial designs, and plant varieties are generally outside its enforcement scope due to their technical nature.
- **Ministry of Commerce (MoC):** Focuses on trademark enforcement within the domestic market, conducting inspections and taking action against counterfeit goods. Patent, industrial design, and copyright enforcement fall outside its direct jurisdiction.
- **Saudi Authority for Intellectual Property (SAIP):** Oversees all intellectual property rights (trademarks, patents, industrial designs, copyrights, etc.) and sets IP policies, but does not directly enforce them. Instead, it coordinates with enforcement agencies.
- **Board of Grievances (Administrative Judiciary):** Handles patent and industrial design disputes as these require legal and technical assessment.

Each authority plays a specific role, with trademark and copyright enforcement being more straightforward, while patents, industrial designs, and plant varieties require judicial or specialized intervention.

### ***Border Measures***

#### ***Customs Recordation:***

Trademark recordation with SAIP is mandatory to benefit from Customs enforcement.

- **Fees:** Approximately USD 800 per class (about JPY 120,000).
- **Validity:** 3 years, renewable.

#### ***Ex Officio Enforcement:***

Yes—ZATCA (Customs) can intercept suspected counterfeits even without a complaint, provided the trademark is already recorded.

#### ***Notification Process:***

When Customs detects suspicious goods:

- When Customs detects suspicious goods, ZATCA notifies SAIP, and SAIP officially contacts the registered agent or brand owner. The right holder then receives product photos, shipment details, quantities, and importer/exporter data.
- The right holder receives product photos, shipment details, quantities, and importer/exporter data.
- The brand owner has a few working days to respond, confirm infringement, and initiate formal action.

#### ***Sanctions:***

- **Fines:** Up to SAR 1 million (~USD 266,000).
- **Imprisonment:** Up to 1 year.
- **Product Disposal:** Destruction or re-export (based on case specifics).
- **Repeat Offenders:** Higher fines, extended prison terms, and potential business closure for persistent violators.

#### ***Special Notes:***

- Security Deposits: May be required when initiating judicial enforcement, typically ranging from USD 10,000 to USD 30,000.
- Customs authorities increasingly favor destruction over re-export for counterfeit goods, especially for repeat offenders.

### **Market Raids**

#### **Administrative Complaints:**

Market inspections and enforcement raids in Saudi Arabia are jointly conducted by SAIP and the Anti-Commercial Fraud Department at the Ministry of Commerce. These actions target physical locations such as shops, warehouses, and distribution centers suspected of selling counterfeit goods, as well as online platforms and e-commerce websites where counterfeit products are advertised.

#### **Ex Officio Enforcement:**

Yes—inspectors conduct routine market inspections and can seize goods directly if they identify counterfeits.

#### **Raid Process:**

- Inspectors visit the target premises (shops, warehouses) and seize infringing products.
- Goods are cataloged and either stored at Ministry warehouses or remain in the infringer's custody under restriction.
- A detailed violation report is drafted.

#### **Sanctions:**

- Fines: Starting at SAR 50,000 (~USD 13,300), escalating significantly for repeat violations.
- Shop Closures: Authorities may temporarily shut down stores involved in serious infringement cases.
- Product Disposal: Destruction orders are common, and in some cases, infringers bear destruction costs.

### **Judicial Remedies**

#### **Civil Litigation:**

Brand owners can pursue civil damages in addition to administrative enforcement. Available remedies include:

- Injunctions to prevent further infringement.
- Damages, with the amount depending on actual loss and reputation damage.
- Product Seizure and Destruction Orders.

#### **Criminal Complaints:**

For cases involving large-scale counterfeiting or repeat offenders, brand owners can escalate matters to criminal prosecution.

- Cases are handled by Public Prosecution in coordination with the Ministry of Commerce.
- Criminal penalties include fines, imprisonment, and permanent closure of offending businesses.
- Cases typically take 12-24 months to complete.

### **Special Notes**

- SAIP regularly publishes enforcement data, increasing public awareness and deterrence.

- Saudi Arabia actively encourages right holders to conduct training workshops for Customs officers and market inspectors, strengthening the system's overall effectiveness.
- Online Infringement: SAIP is also expanding digital enforcement capabilities, particularly targeting online marketplaces and social media platforms offering counterfeit goods.
- Repeat Offenders: Beyond escalating fines, repeat offenders face harsher penalties, including permanent withdrawal of trade licenses.

## Conclusion

Saudi Arabia's centralized system, led by SAIP, combined with mandatory recordation, strict border controls, and severe penalties, creates a relatively strong enforcement environment. However, procedural delays in court cases remain a challenge, especially for civil litigation. For brand owners, proactive recordation, direct engagement with SAIP, and swift response to notifications are essential for effective IP protection in the Kingdom.

## Enforcement Remedies in Türkiye

### Overview

As a regional manufacturing powerhouse and a key bridge between Europe and Asia, Türkiye faces a significant flow of counterfeit goods—both imported and domestically produced. The country boasts one of the most developed intellectual property enforcement systems in the Middle East, supported by specialized IP courts, active Customs authorities, and extensive civil and criminal remedies.

Türkiye's enforcement framework is aligned with international standards, reflecting its obligations as a WTO member and signatory to the TRIPS Agreement. This creates a relatively sophisticated legal environment for right holders, though challenges remain, particularly in terms of enforcement consistency across different regions.

### Key Enforcement Authorities

Authority	Role	URL
Turkish Patent and Trademark Office (TÜRKPATENT)	Oversees IP registration and policy development.	<a href="https://www.turkpatent.gov.tr">https://www.turkpatent.gov.tr</a>
Turkish Customs (Ministry of Trade)	Manages border enforcement and seizure of counterfeit goods.	<a href="https://www.trade.gov.tr">https://www.trade.gov.tr</a>
Police (Anti-Smuggling and Organized Crime Department - KOM)	Conducts market raids and investigates counterfeiting networks. Note: KOM (Kaçakçılık ve Organize Suçlarla Mücadele Daire Başkanlığı) is the specialized department of the Turkish National Police responsible for tackling organized economic crime, including large-scale counterfeiting and IP infringement.	<a href="https://www.egm.gov.tr">https://www.egm.gov.tr</a>
Specialized IP Courts	Handle civil and criminal IP disputes.	Jurisdiction varies by region

### Relevant Laws

- Industrial Property Law No. 6769 (2017)—covers trademarks, patents, utility models, industrial designs, and geographical indications.<sup>7</sup>
- Copyright Law No. 5846 (1951, as amended)—governs copyrights and related rights.<sup>8</sup>

<sup>7</sup> <https://www.wipo.int/wipolex/en/legislation/details/22592>

<sup>8</sup> <https://www.wipo.int/wipolex/en/legislation/details/22507>

- Turkish Customs Law No. 4458—provides the legal basis for Customs enforcement related to IP infringement.<sup>9</sup>

These laws apply across all regions of Türkiye and cover trademarks, patents, industrial designs, utility models, and copyrights. However, enforcement responsibilities are divided among different authorities, with some having a more limited scope:

- Turkish Customs: Primarily enforces trademark and copyright violations at borders by intercepting counterfeit goods. Patents, industrial designs, and utility models typically fall outside its enforcement scope, as they require technical assessments beyond visual inspection.
- Turkish Patent and Trademark Office (TÜRKPATENT): Oversees all intellectual property rights (trademarks, patents, industrial designs, utility models, and copyrights) and manages IP registrations. However, it does not have direct enforcement powers and works with judicial and regulatory authorities.
- Ministry of Trade: Handles domestic market enforcement for trademark and copyright infringements, conducting inspections and imposing penalties. Patent and industrial design enforcement requires legal intervention.
- Intellectual and Industrial Property Rights Civil and Criminal Courts: Handles patent, industrial design, and utility model disputes, as these require detailed legal and technical evaluation.

Each authority has a specific role, with trademark and copyright enforcement being more direct, while patent, industrial design, and utility model disputes typically require judicial action.

### **Border Measures**

#### **Customs Recordation:**

Türkiye offers a voluntary trademark recordation system with Turkish Customs.

- Fees: Approximately USD 300 per class.
- Validity: 2 years, renewable.

#### **Ex Officio Enforcement:**

Yes—Customs officers can detain shipments on their own initiative if they detect suspected counterfeit goods.

#### **Notification Process:**

When Customs identify suspicious goods:

- The right holder or their local representative (if recorded) is notified.
- The notification typically includes shipment details, product images, and basic importer/exporter information.
- The rights holder has 10 working days to confirm infringement and initiate legal action if necessary.

#### **Sanctions:**

- Fines: Case-dependent (determined by courts).
- Product Disposal: Counterfeits are usually destroyed, though re-export is possible in some cases (e.g., goods redirected to a jurisdiction where they are lawfully sold).

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<sup>9</sup> <https://www.wipo.int/wipolex/en/legislation/details/22573>



- Repeat Offenders: Face higher fines, and criminal charges are more likely if a pattern of infringement emerges.

### **Market Raids**

#### **Administrative Complaints:**

There is no central administrative complaint process specifically for IP enforcement, but brand owners can work directly with the Police (KOM) to initiate a raid against suspected counterfeiters.

#### **Police-Initiated Raids:**

The Anti-Smuggling and Organized Crime Department (KOM) regularly conducts market surveillance and raids, especially in known counterfeit hotspots, including Istanbul's informal markets.

#### **Ex Officio Market Raids:**

Yes—police and municipal authorities regularly monitor markets for counterfeit goods, particularly in high-traffic areas or in response to consumer complaints.

#### **Raid Process:**

- Police conduct surprise on-site inspections.
- Infringing goods are seized and documented.
- Samples are typically sent for expert analysis (often involving the right holder's local agent or technical expert).
- A violation report is prepared, which can trigger criminal prosecution or civil litigation.

#### **Sanctions:**

- Fines: Based on the court's assessment of economic harm and criminal intent. There is no fixed minimum fine set by law for trademark infringement cases in Türkiye. The amount is assessed by the court based on factors such as the economic harm caused, the scale of infringement, and whether it was committed intentionally or as part of organized activity. In practice, fines can vary widely—from several thousand TRY for minor cases to substantially higher amounts for organized counterfeiting operations or repeat offenders.
- Imprisonment: Up to 4 years for serious cases, especially if linked to organized crime.
- Product Disposal: Seized items are normally destroyed, with the infringer bearing the cost.

### **Judicial Remedies**

#### **Civil Litigation:**

Rights holders can initiate civil cases through Türkiye's Specialized IP Courts, seeking:

- Injunctions to stop further sales and distribution.
- Damages, including lost profits and reputational harm.
- Destruction Orders for infringing goods.

#### **Criminal Prosecution:**

If counterfeiting involves deliberate fraud, organized crime, or large-scale infringement, police may initiate criminal proceedings.

- Criminal penalties can include:

- Fines based on the severity of the infringement.
- Imprisonment for up to 4 years.
- Business Closure Orders in extreme cases.

### **Special Notes**

- Türkiye's enforcement effectiveness varies between major cities and rural areas—enforcement tends to be faster and more predictable in larger cities like Istanbul, Ankara, and Izmir.
- Border enforcement is particularly strong at ports like Istanbul and Mersin, which are major entry points for counterfeit goods from Asia.
- Training programs for Customs officials are highly recommended—many global brands conduct annual training sessions to help officers identify authentic and fake goods.
- Online Enforcement: In recent years, Türkiye has stepped up online enforcement, with e-commerce platforms required to remove counterfeit listings promptly upon complaint—this is governed by Law No. 6563 on Regulation of Electronic Commerce.
- Repeat Offenders: Turkish courts take a strict stance on repeat offenders, particularly those linked to organized counterfeit networks—such cases are more likely to result in criminal prosecution and imprisonment.

### **Conclusion**

Türkiye's enforcement environment blends strong legal frameworks with practical enforcement tools, making it one of the more reliable jurisdictions for IP enforcement in the region. However, right holders must be prepared to engage actively, including maintaining Customs recordation, working closely with local counsel, and responding swiftly to enforcement opportunities.

For companies operating in Türkiye, the combination of border control, proactive market surveillance, and direct cooperation with enforcement authorities offers the best path to effective brand protection.

### **Enforcement Remedies in Jordan**

#### **Overview**

Although Jordan is a smaller market compared to its neighbors, it plays a critical role in regional trade and transit routes, particularly for goods moving between the Gulf, Levant, and North Africa. As a result, counterfeit goods are a persistent issue in Jordan's markets and borders. Enforcement in Jordan relies on a blend of administrative actions, border measures, and judicial processes, giving right holders multiple pathways to enforce their rights.

Jordan's system is somewhat flexible, allowing right holders to choose between administrative complaints, Customs intervention, and court action depending on the case's nature and urgency. This layered enforcement structure makes Jordan practical but procedure-heavy, meaning right holders need active local representation to manage cases efficiently.

#### **Key Enforcement Authorities**

Authority	Role	URL
Industrial Property Protection Directorate - Ministry of Industry, Trade and Supply	Oversees trademarks, patents, and industrial designs registrations	<a href="https://www.mit.gov.jo">https://www.mit.gov.jo</a>
Jordan Customs	Handles border enforcement, including seizures of counterfeit goods.	<a href="https://www.Customs.gov.jo">https://www.Customs.gov.jo</a>
Public Security Directorate (Police)	Assists in market raids and investigates counterfeiting cases.	<a href="https://www.psd.gov.jo">https://www.psd.gov.jo</a>

Jordan Standards and Metrology Organization (JSMO)	Handles in-market product verification and administrative enforcement.	<a href="https://www.jsmo.gov.jo">https://www.jsmo.gov.jo</a>
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## Relevant Laws

- Trademarks Law No. 33 of 1952 (as amended)<sup>10</sup>
- Copyright Law No. 22 of 1992 (as amended)<sup>11</sup>
- Patents Law No. 32 of 1999<sup>12</sup>
- Customs Law No. 20 of 1998 (as amended)<sup>13</sup>

These laws apply across all regions of Jordan and cover trademarks, patents, industrial designs, utility models, and copyrights. However, enforcement responsibilities are divided among different authorities, with some having a more limited scope:

- Jordan Customs: Primarily enforces trademark and copyright violations at borders by intercepting counterfeit goods. Patents, industrial designs, and utility models typically fall outside its enforcement scope, as these require technical assessments.
- Ministry of Industry, Trade, and Supply: Enforces trademark and copyright violations in the domestic market, conducting inspections and issuing penalties. Patent, industrial design, and utility model disputes are generally referred to judicial authorities.
- Industrial Property Protection Directorate (IPPD): A division of the Ministry of Industry, Trade, and Supply that oversees trademark and patent registration. However, it does not conduct direct enforcement and collaborates with enforcement agencies when necessary.
- Judiciary (Civil and Criminal Courts): Handles patent, industrial design, and utility model disputes, as these require legal and technical evaluation.

Each authority has a specific role, with trademark and copyright enforcement being more direct, while patent, industrial design, and utility model disputes typically require judicial action.

## Border Measures

### Customs Recordation:

Jordan offers voluntary trademark recordation with Jordan Customs.

- Fees: Approximately USD 150 per class.
- Validity: 1 year, renewable.

### Ex Officio Enforcement:

Yes—Customs can detain shipments on their own initiative if they detect suspected counterfeit goods.

### Notification Process:

When Customs detects suspicious goods:

- The registered agent or brand owner (if recorded) is notified.

<sup>10</sup> <https://www.wipo.int/wipolex/en/legislation/details/19692>

<sup>11</sup> <https://www.wipo.int/wipolex/en/legislation/details/22010>

<sup>12</sup> <https://www.wipo.int/wipolex/en/legislation/details/22008>

<sup>13</sup> <https://www.wipo.int/wipolex/en/legislation/details/19799>

- Notification includes basic shipment details and product photos.
- The right holder has 7 working days to confirm infringement and initiate further action.

**Sanctions:**

- Fines: Up to JOD 10,000 (~USD 14,000).
- Imprisonment: Up to 2 years for serious cases.
- Product Disposal: Goods are typically destroyed at the infringer's expense.
- Repeat Offenders: Subject to higher fines and additional scrutiny.

**Market Raids and Administrative Actions**

**Administrative Complaints:**

Right holders can file complaints with the Jordan Standards and Metrology Organization (JSMO).

- JSMO has a specialized Anti-Counterfeiting, Verification, and Notification Unit.
- JSMO can act directly against counterfeit goods in the market—even without court orders.

**Ex Officio Raids:**

Yes—JSMO conducts routine market inspections and can seize goods directly if they identify counterfeits.

**Raid Process:**

- JSMO inspectors visit shops, warehouses, or distribution centers.
- Suspected goods are seized and stored at JSMO premises.
- Right holders are asked to confirm authenticity.
- If confirmed counterfeit, goods are destroyed, and the infringer is fined.

**Sanctions (Market Raids):**

- Fines: Typically starting around USD 1,400 but can be higher based on case size.
- Product Disposal: Immediate destruction for confirmed counterfeits.
- Court Referral: In severe cases, JSMO refers matters to criminal court.

**Judicial Remedies**

**Civil Litigation:**

Right holders can pursue civil lawsuits seeking:

- Injunctions to stop further sales and distribution.
- Damages for financial and reputational harm.
- Seizure and destruction orders.

**Criminal Prosecution:**

For cases involving serious counterfeiting operations, police and Customs can initiate criminal proceedings.

- Criminal penalties can include:
  - Fines up to JOD 10,000.
  - Imprisonment up to 2 years.
  - Court-ordered destruction of goods.

### ***Special Notes***

- Administrative enforcement is very active in Jordan, especially compared to court proceedings, which can be slow.
- Customs actions require quick responses—if the right holder fails to respond within 7 working days, the goods are released.
- JSMO's authority covers both local manufacturing and imported products, making it a key player for product surveillance across sectors.
- Repeat Offenders: Multiple violations lead to escalated fines and possible referral to criminal court, especially if linked to organized counterfeit networks.
- JSMO is open to training workshops from brand owners, helping inspectors learn how to identify authentic vs. fake goods more effectively.

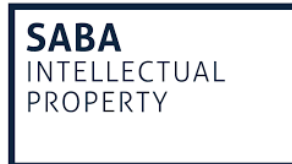
### ***Conclusion***

Jordan offers a flexible enforcement landscape, combining Customs controls, administrative action, and judicial remedies. While court cases can take time, the administrative and border processes are relatively fast and cost-effective—provided right holders act quickly and maintain close relationships with their local agents and authorities.

For companies trading in Jordan, the combination of proactive Customs recordation and regular market monitoring through JSMO provides the most effective defense against counterfeiting.

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