

Newsletter

|42nd Edition, March 2024|

Welcome to the forty-second edition of our newsletters. In this edition, we will present to our readers the following:

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- i) In **Section A**, which is dedicated to a “Glimpse into Jordanian legislation”, in this edition we look into Intellectual Property under the Jordanian Law: ‘**Well-known Trademark versus Trademark**’, and we address the differences, registration and infringement under the Jordanian Trademarks Law No. 33 of 1952 and its amendments (which will be referred to as “The Law”). We have chosen to address this topic in order to provide information about “The Law” as well as in order to raise awareness amongst our readers on the distinction between the concept of a well-known trademark and the concept of an ‘ordinary’ trademark.

Many of our clients operate in Jordan and various jurisdictions outside Jordan and usually have a mark registered in Jordan, which when their operations become more international, they wish to register in the new jurisdictions in which they operate. At the same time, some clients are not aware of the importance of protecting the mark of their business and in those cases, we are pleased to advise on how to proceed in that regard. Further, some of our clients that have their head offices outside Jordan and have registered their mark in said jurisdictions, consult us for registration of their trademark in Jordan, too. For all those reasons and due to the overall importance among consumers and business owners of the distinction between a well-known trademark and an ordinary trademark, we have dedicated part of this Newsletter to the “Law”. We hope that readers will find that of interest and we remain available for any clarifications in that regard.

- ii) In **Section B**, which is dedicated to matters pertinent to the jurisdiction of Iraq, in this edition we look into “**The Iraqi Facts Gazette**”. This is a new addition to our newsletters dedicated to matters that are relevant to our two Iraq offices, which are located in Baghdad and in Erbil.

- iii) In **Section C**, which is dedicated to matters pertinent to our Start-ups and SMEs Department, in this edition we look into “**Company registration in an Offshore Jurisdiction**”.



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"The right to use a legally registered ordinary trademark is limited to its owner, on the other hand, the owner of a well-known trademark has the right to prevent others from using identical or similar marks to their well-known trademark that are likely to lead to confusion. Written consent from the well-known trademark owner, is one of the conditions for officially registering an ordinary trademark by its owner.

On the other hand, if the trademark is well-known, but not registered in Jordan, the owner can still request the competent court to prevent others from using it on similar or other products or services despite the trademark not being registered in Jordan. This is provided that the use of the other trademark indicates a link between its products or services and those of the well-known trademark and which link can result in a risk that the owner's interests may be affected by such use."



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SECTION A: A GLIMPSE INTO JORDANIAN LEGISLATION

In this edition, we look into Intellectual Property under the Jordanian law, and more specifically we examine the distinction between a well-known Trademark versus a Trademark.

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Introduction

A trademark adds value and distinguishes a product and a service for consumers; that is more of relevance in the present time due to the industrial, commercial and technological development, whereby the consumer as a citizen and as a resident of any country in the world, and that applies to Jordan also, differentiates products and services from other similar products and services through their trademark. Therefore, the protection that is afforded to a trademark in the law is of great importance and as such it occupies a unique place amongst commercial and industrial property rights.

There are two types of trademark: the well-known mark and the trademark. Throughout this edition, we will use the term “trademark” to mean an ordinary trademark, in order to differentiate between the ordinary trademark and the well-known trademark.

The well-known trademark is a mark that has earned a lot of popularity among the consumers and in the market. Well-known trademarks have garnered this recognition from the public because of their quality and unique characteristics.

In this edition of the newsletter, we will present to our readers the following topics in terms of “The Law”:

First: Definition and types of Trademarks.

Second: How an ordinary trademark differs from a well-known trademark.

Third: Registration Procedures for registering a Trademark, as stipulated in “The Law” and its Regulations.

Fourth: Legal Recourse under “The Law” in the Event of Trademark Infringement.

First: Definition and Types of Trademarks

Trademarks differ in their definition and types depending on whether a trademark is a well-known mark or an ordinary trademark. “The Law” defines as a “Trademark”: *“Any apparent sign used or intended to be used by any person to distinguish their goods,*



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products or services from the goods, products or services of others.”¹

“The Law” also defines as a “Well-known Trademark”:

5 “A trademark of international reputation, which exceeded the country of origin in which it was registered and gained reputation in the relevant sector of the public in the Hashemite Kingdom of Jordan, taking into account the instructions issued by the Minister in this regard and in accordance with the obligations and duties arising under the agreements related to the protection of the well-known trademark to which the Kingdom is a party, provided that these instructions are published in the Official Gazette.”²

An ordinary trademark and a well-known trademark can be shaped into more than one type and are varied according to their use, which are the following:

1. **Trade Marks:** these trademarks are used by merchants to distinguish their products and services from other products and services. This type of trademarks is utilized for commercial use only (the sale and purchase to consumers). This type of trademark can be a logo or a word mark

or a combination of both that are used to differentiate a particular merchant’s goods and products from another’s.

2. **Manufacturer’s Marks:** These trademarks are used by factories and manufacturers of goods and products in order to differentiate goods and products that are manufactured by them from other goods and products that are sold in the consumer market.
3. **Collective or Shared Marks (Co-branding):** These trademarks are owned by more than one member of one group, and these trademarks are used by each of those members, either separately or as a group, as a tool for development. Co-branding takes several forms, which are:³
 - “**Coalition**” for example: HP-Compaq.
 - “**Coordination**” for example: BenQ and Siemens.
 - “**Collaboration**” for example: Coca-Cola and Heinz.

¹ Unofficial translation for Article 2 of the Trademarks Law no. 33 of 1952 and its amendments.

² Unofficial translation for Article 2 of the Trademarks Law no. 33 of 1952 and its amendments.

³ Please note that the above forms are very briefly described as they are not the focus of this newsletter.



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- “Cooperation” for example: The Sony-Ericsson joint venture.

4. Geographical Location Mark: These trademarks are related to a specific geographical location in a country to differentiate places in a particular country from other locations in the world. The aim of using this trademark is to attract tourism and to improve the economy in the country.

5. Media Trademarks: These trademarks are used for newspapers, magazines, media television channels, and social media platforms and applications.

Second: How Ordinary Trademarks Differ from Well-known Trademarks

The most notable differences between an ordinary trademark and a well-known trademark are as follows:

(1) Priority in Protection and Registration

A well-known trademark enjoys a higher level of protection than that of an ordinary trademark. One of

⁴ Unofficial translation of Article (8/12) of the Trademarks Law no. 33 of 1952 and its amendments.

⁵ Unofficial translation of Article (8/12) of the Trademarks Law no. 33 of 1952 and its amendments.

the main conditions in “The Law” to register an ordinary trademark is that the ordinary trademark cannot match, resemble or constitute a translation of a well-known trademark in order to:

- Present or market or sell similar products or services that would create a confusion with well-known trademark products or services; or ⁴
- Present or market or sell any other products and services, that would create a confusion with the well-known trademark products or services; or ⁵
- Be used for any purposes other than the purposes that specific products or services are used for, in a way that is likely to harm the reputation of the owner of a well-known trademark. ⁶

The reason for this condition is that similar trademarks can suggest a link between a well-known trademark and those products and services

Unofficial translation of Article (8/12) of the Trademarks Law no. 33 of 1952 and its amendments.



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related to an ordinary trademark. ⁷ If any of those conditions is breached, then the registration of the ordinary trademark shall be refused.

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The well-known trademark is legally protected not only under the Jordanian law, but also under The Paris Convention for the Protection of Industrial Property - 1883 and the Trade-Related Aspects of Intellectual Property Rights of 1994 (The TRIPS Agreement).

The TRIPS Agreement seeks to protect the well-known trademark, with one of its main objectives being the protection of the well-known trademark, as well as, the TRIPS Agreement is one of the remarkable reasons behind the establishment of the World Trade Organization (W.T.O.).

(2) The Rights of the Trademark Owner

if the owner of the well-known trademark, however, there are some differences in this regard as outlined in Article 25 of “The Law”.

The right to use a legally registered ordinary trademark is limited to its owner, whilst the owner of a well-known trademark has the right to prevent others from using identical or similar marks to their well-known trademark that are likely to lead to confusion. Written consent from the well-known trademark owner, is one of the conditions for officially registering an ordinary trademark by its owner. ⁸

On the other hand, if the trademark is well-known, but it has not been registered in Jordan, the owner can still request the competent court to prevent others from using it on similar or other products or services despite the fact that the trademark is not registered in Jordan. This is provided that the use of the other trademark indicates a link between its products or services and those of the well-known trademark and which link can result in a risk that the owner's interests may be affected by such use. ⁹

⁷ Unofficial translation of Article (8/12) of the Trademarks Law no. 33 of 1952 and its amendments.

⁸ Unofficial translation of Article (25) of the Trademarks Law no. 33 of 1952 and its amendments.

⁹ Unofficial translation of Article (25) of the Trademarks Law no. 33 of 1952 and its amendments.



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(3) Trademark and Well-known Trademark in Terms of Competition and Relevance

The well-known trademark is a tool that distinguishes goods, products and services in various global markets. Through a well-known trademark, the consumer can determine the source of the products, goods and services they are willing to purchase and use. Whereas the importance of the ordinary trademark lies in its country of origin only, and does not exceed the limits of the territory in which the trademark was registered.

A well-known trademark is a symbol of trust in the qualities of its products, goods and services, while the ordinary trademark from the consumer's point of view might be seen as less trustworthy in the qualities of products, goods and services. This is because consumers tend predominantly to choose the well-known trademark's products and services based on its famous name and the way it is advertised by the media. This means that, although the trademark could be of higher quality and is cheaper, consumers might still prefer a well-known trademark over a trademark because the ordinary trademark has a weaker publicity or a lower budget advertising.

Consumers might prefer to purchase high quality and trustworthy products, which they generally associate with the well-known trademark. This could cause a

competition in the commercial markets between the products and services of the ordinary trademarks and well-known trademarks.

Third: Trademarks Registration Procedures under "The Law" and its Regulations

In terms of registration, both ordinary trademarks and well-known trademarks go through the same registration procedure as that is stipulated under "The Law".

If any person claims to own a trademark, which is, either in use or intended to be used on products and/or services and such person desires to protect their trademark, they must legally register it at the competent authority, The Ministry of Industry, Trade and Supply - Directorate of Industrial Property Protection. There are certain procedures applied by "The Law" for such registration, as follows:

1. The trademark owner should submit a written application to the competent authority that



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being the Registrar of the Ministry of Industry, Trade and Supply (the “Registrar”).¹⁰

2. The Registrar will examine the application. The Registrar will either reject or accept the application. If the Registrar accepts the application for the registration of any trademark, this acceptance can be either absolute or conditional upon certain conditions and restrictions. If the acceptance is absolute, the Registrar shall provide the applicant with a preliminary acceptance certificate. If the acceptance is conditional, the Registrar will only provide the preliminary acceptance certificate after the required conditions and restrictions have been met.¹¹
3. The applicant’s accepted trademark will be published in the Official Gazette for the Opposition Period. The Trademark Regulation no. 1 of 1952 and its amendments defines the Opposition Period as “*Any person may within three months from the date of publication of*

*any announcement in the Official Gazette of a registration application of a trademark, file a written notice to the Registrar objecting to the registration.”*¹²

4. Any person can object to the Registrar the registration of any trademark within three months from the date of the above-mentioned publication, by submitting an opposition notice explaining the reasons for the objection.¹³
5. If the trademark registration application is accepted for publication and there was no objection to it, and the period specified for the objection has expired, the Registrar shall register that trademark after the applicant pays the prescribed fee.¹⁴
6. Upon registration of the trademark, the Registrar shall issue the applicant with a certificate of registration according to the prescribed form by the competent authority.¹⁵

¹⁰ Unofficial translation of Article (11) of the Trademarks Law no. 33 of 1952 and its amendments.

¹¹ Unofficial translation of Article (13) of the Trademarks Law no. 33 of 1952 and its amendments.

¹² Unofficial translation of Article (35) of the Trademark Regulation no. 1 of 1952 and its amendments.

¹³ Unofficial translation of Article (14/1) of the Trademarks Law no. 33 of 1952 and its amendments.

¹⁴ Unofficial translation of Article (15/1) of the Trademarks Law no. 33 of 1952 and its amendments.

¹⁵ Unofficial translation of Article (15/2) of the Trademarks Law no. 33 of 1952 and its amendments.



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7. In Jordan, the period of the registered trademark ownership is ten years from the date of its registration. The registration may be renewed for another ten years in accordance with the provisions of “The Law.”¹⁶

Renewal of a Mark: In terms of renewing a registered trademark that has had the ten years ownership period elapse, the trademark owner should submit to the Registrar a written notice requesting that the trademark be renewed.¹⁷ Following the submission of the written notice, the owner is then required to pay the prescribed fees, and the renewal will be completed.

On the other hand, if the owner of the trademark does not submit a renewal notice to the Registrar after one year from the lapse of the ten years registration period, the owner loses their ownership of the trademark. Further, after two years from the lapse of the ten-year period, any third party can request that the trademark be registered under their name and that they be given ownership of the trademark.

The owner of a trademark that has not be renewed may request, at any time, to renew their trademark registration. However, they can only do so if the

trademark has not been already registered in the name of a third party, who has claimed the ownership of the trademark.

Fourth: Legal Recourse in the Event of Trademark Infringement under “The Law”

In terms of infringement, both ordinary trademarks and well-known trademarks have the same legal recourse under “The Law” should a trademark infringement occur.

Infringement can take various forms; amongst these forms are the following:

- Trademark counterfeiting in accordance with Article 37/1 of “The Law” and Article (3/A) of the Jordanian Goods Marks Law No. 19 of 1953 and its amendments.
- Misuse of a registered trademark in accordance with Article 37/B of “The Law”.
- Possession of counterfeited goods for sale in accordance with Article 37/C of “The Law” and Article 3/B of Jordanian Goods

¹⁶ Unofficial translation of Article (20) of the Trademarks Law no. 33 of 1952 and its amendments.

¹⁷ Unofficial translation of Article (21) of the Trademarks Law no. 33 of 1952 and its amendments.



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Marks Law No. 19 of 1953 and its amendments.

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Infringement cases can be filed in the Civil and Criminal Courts (which court will apply, that depends on the claim). The court which looks into the infringement claim shall accept certificates on current commercial transactions regarding the manner of manufacturing the goods for which the specific trademark is registered or any trademark or method of manufacturing legitimately used by third parties in connection with those goods.¹⁸

Should the trademark infringement be proven, the competent court can order any one of the following penalties:¹⁹

1. Imprisonment for a period that ranges between 3 months to 1 year.
2. A monetary fine that ranges between 100 JDs to 6,000 JDs.
3. The combination of both of the above penalties.

¹⁸ Unofficial translation of Article (34) of the Trademarks Law no. 33 of 1952 and its amendments.

¹⁹ Unofficial translation of Article (37) of the Trademarks Law no. 33 of 1952 and its amendments.

4. The seizure of goods and any other materials used for the infringement²⁰

In addition to the above, the plaintiff (trademark owner) also possesses the following legal recourse, that can be requested at the time of filing the claim or during the court case:²¹

1. To have the infringement be ceased.
2. Precautionary seizure of the goods related to the infringement.
3. Preservation of evidence related to the infringement.

Conclusion

In conclusion, well-known trademarks and ordinary trademarks possess certain distinct differences in terms of protection and rights of trademark owners, and competition and relevance; on the other hand, they are still very similar as they possess similarities in terms of registration, infringement, and renewals.

²⁰ Unofficial translation of Article (38/4) of the Trademarks Law no. 33 of 1952 and its amendments.

²¹ Unofficial translation of Article (38) of the Trademarks Law no. 33 of 1952 and its amendments.



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SECTION B: Hammouri & Partners' Iraq office (Baghdad-Erbil)

In this edition of the newsletter, we will present to our readers a brief description of the Ministry of Justice in Iraq, and we will be introducing to our readers the "Iraqi Facts" gazette; one of the most popular newspapers in Iraq and the sole official gazette in Iraq related to legal matters.

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First; The Ministry of Justice of Iraq

The Ministry of Justice of Iraq and its departments, are important governmental bodies in the formation of the Iraqi State. The Ministry was formed early in the life of the State of Iraq, and has been responsible for justice and judicial activities. However, the law of Coalition Provisional Authority No. (35) of 18/09/2003 divided the Ministry into two separate departments. The changes that occurred at that time, are as follows:

1. Separation of the judiciary from the Ministry of Justice.
2. The establishment of a new institution responsible for judicial activities, called "The Supreme Judicial Council".

3. The Ministry of Justice activities remained within the authority of the Ministry of Justice, to which "The Iraqi Reform Department" was also added to the Ministry.

Second; The Official Gazette of Iraq "Iraqi Facts" or "The Iraqi Gazette"

The "Iraqi Facts" gazette was founded in August 1922, being the first Iraqi official gazette to publish Iraqi legislation, such as laws and regulations, as well as instructions and orders to Iraqi government authorities, citizens and the society.

The first official publication of "Iraqi Facts", on the 8th of December 1922, began to publish legislation, official statements and memoranda of the sessions of the Iraqi Senate, and continued to do so until 1958. Until said date, publication no. (4168) was published, after that the gazette resumed again on May 23, 1958 with edition no. (1).

The "Iraqi Facts Department" of the Ministry of Justice of Iraq supervises the publishing of the "Iraqi Facts" gazette.



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Currently, the “Iraqi Facts” gazette is publicly accessible through its official website. “Iraqi Facts” can be obtained either on paper or electronically through the Ministry of Justice website.²²

➤ Historical Overview

The “Iraqi Facts” gazette, has an honored history of administrative, legislative and political developments. In 1912, the British occupation in Iraq issued the first publication of legislation in the form of statements signed by the leader of the British campaign in Mesopotamia, which was in English and translated into Arabic later on, in order for citizens to be informed with the governmental orders and statements.

In 1912, the Iraqi Government issued the Iraqi gazette both in Arabic and English, which was named the "Iraqi Government Gazette".

The Iraqi Gazette is reviewed and published by the Ministry of Finance, as well as the Ministry of Interior and the Ministry of Culture and Guidance.

However, the gazette subsequently changed its name to “Iraqi Facts - the Official Governmental

Gazette”. Its first publication was on 8th of December 1922. It was published three times a week, under the supervision of the “Baghdad Publications Directorate”.

Some of the first publication headings in “Iraqi Facts” gazette, were as follows:

- Communications issued by the High Chargé d 'Affaires;
- Communications issued by the Ministry of Interior;
- Laws and Regulations;
- Public Announcements;
- International news around the global; and
- Local news related to Baghdad “the Iraqi capital”.

Moreover, the “Iraqi Facts” gazette does not only publish legislation and governmental communications, but it also publishes official announcements and court decisions issued by courts of different levels, as well as social and

²² <https://www.moj.gov.iq/iraqmag/>



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political matters. The first publication of the gazette reached 600 copies.

14 The “Iraqi Facts” gazette continued to be published until the establishment of the Republicanism on the 14th of July 1958. The last publication of the gazette during the monarchy, was numbered (4178).

Shortly after that, on 28th of July 1958, “Iraqi Facts” gazette resumed its operation and begun to publish again, with a new serial number, and it also changed its name to “the Official Gazette of the Republic of Iraq” instead of “The Official Iraqi Governmental Gazette”. It was managed and supervised by the Ministry of Justice and that remains the same until this date.

➤ **Latest Publications of the “Iraqi Facts” Gazette:**

1. Publication no. 4761 of “Iraqi Facts” gazette dated 19/02/2024²³

“Law no. 2 of 2024 of the Fund Convention of 1992 was issued for the purpose of joining the Fund Convention of 1992, as well as for the

²³ Unofficial translation of the Publication no.4761 of Iraqi Facts Gazette

purpose of providing compensation for the damages of pollution within the period of protection provided by Civil Liability in 1992, and to cut down the additional financial fees imposed on shipowners by Civil Liability.”

The Republic of Iraq joined the Fund Convention of 1992 when it entered into force on 30/05/1996.”

2. Publication no. 4760 of “Iraqi Facts” gazette dated 19/02/2024²⁴

“An official statement and instructions have been issued concerning standardization and quality control on local and international goods and imported products. The Central Organization for Standardization and Quality Control issued Law No. 54 of 1979 and its amendments, which follows the National Qualitative Control Regulation of 1988 and in accordance with Article 3, paragraph 3, 5 from the Regulation that provide the updated list of imported goods, materials and products subject to inspection. After the inspection phase, the Organization issues a certificate for the imported inspected goods and products. The Central Organization for Standardization and

²⁴ Unofficial translation of the Publication no.4760 of Iraqi Facts Gazette



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Quality Control may update the list whenever that is deemed necessary.”

3. Publication no. 4763 of “Iraqi Facts” gazette dated 04/03/2024²⁵

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“On 7th of February 2024 the Council of Ministers issued its decision no. 24129 / 2024, at its sixth ordinary session, where it was decided the following:

Accepting the issuance of Regulation no. 1 of 2024 on the Fourth Amendment of the Regulation for the Practice of the Profession of Control and Auditing of Accounts no. 3 of 1999, which was revised by the Council of State pursuant to Article 220 (A) of Companies Law No. 21 of 1997 and Article 80 (C) of the Iraqi Constitution.”

The “Iraqi Facts” gazette publishes various other laws, instructions, regulations, and decisions of the Federal Court, which are also used as a reference source for many professionals that are related to and/or work in the field of law.

²⁵ Unofficial translation of the Publication no.4763 of Iraqi Facts Gazette

SECTION C: START UPS & SMES

Company Registration in an Offshore Jurisdiction

Offshore jurisdictions are viewed by many as one of main tools that significantly contribute to the growth of the global economy, thereby many individuals and/or legal entities are aware of the numerous advantages and incentives that offshore jurisdictions can offer. This month’s edition of the SMEs section in Hammouri & Partners Newsletter will be discussing the offshore jurisdictions for company incorporation, the main incentives/benefits they offer, and the criteria/factors that need to be considered before choosing the most suitable offshore jurisdiction for your business.

Generally speaking, onshore companies are legal entities that are incorporated in your home country, and therefore are governed by the jurisdiction of your home country. Unlike onshore companies, offshore companies are incorporated in a different country than the one that you reside in. More specifically, offshore companies conduct all of their business outside the country where they are established. This is based on the fact that the offshore entity is owned and registered



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as a non-resident establishment. Offshore companies enjoy certain incentives that are considered more advantageous for many individuals and/or legal entities. For instance, offshore jurisdictions usually offer financial confidentiality, whereby most offshore jurisdictions have stronger regulations protecting financial information. Hence, it can help securing their financial transactions and shield private information as a mean of safeguarding business and maintaining confidentiality and privacy.

Furthermore, registering an offshore entity allows individuals and/or legal entities to limit their liability through assets protection, which is another important and popular incentive of offshore jurisdictions. Thus, managing assets under offshore companies can offer a strong layer of protection from future liabilities. In other words, an offshore company formation provides a layer of separation between your personal assets and the business it conducts, therefore, by establishing an offshore entity, you can protect your assets from potential legal liabilities, creditor claims and litigation risks.

More to the point, offshore jurisdictions may offer tax exemption from local taxes, as any and all financial transactions that are conducted outside the offshore jurisdiction, are exempted from local taxation. Accordingly, an offshore jurisdiction is known to be a 'tax haven', by which they offer either an ultra-low-

income tax or in certain jurisdictions a zero-income tax (depending on the offshore jurisdiction you register in).

Moving swiftly on, before selecting a suitable offshore jurisdiction for you, it is highly recommended to pay close attention to the following international institutions, which help individuals and/or institutions to avoid registering their business in non-cooperative jurisdictions. The main institutions that scrutinize jurisdictions worldwide are the European Council [the Council of the European Union] and the Financial Action Task Force [hereinafter referred to as the "FATF"].

That being said, each year the EU Council produces a list of non-cooperative jurisdictions (which is revised twice a year by the Council); this list is made to highlight the countries that fail or refuse to adhere to and comply with their obligations towards tax good governance. Consequently, the offshore jurisdictions of states that do not comply with the standards of the abovementioned EU's criteria shall be listed in a regularly amended document named the "black list", and consequently, it is considered as a non-cooperative jurisdiction. On the contrary, jurisdictions that do not comply with all criteria, but they have committed to reform their laws/regulations to accommodate the EU Council requirements, are included in another document named the "grey list".



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Moreover, if the aforesaid jurisdictions fail to adhere to the requirements of the EU Council they will be limited or prevented from conducting their business with EU member states and companies.

17 Unlike the EU Council, the FATF does not address issues related to tax, but rather it focuses on combating money laundering and the financing of terrorism. Countries and/or jurisdictions with serious strategic deficiencies to counter money laundering, terrorist financing, and proliferation financing are seen as high-risk countries. Therefore, FATF calls on all the countries identified as high-risk and urges all jurisdictions to apply enhanced due diligence, and in the most serious cases, countries are called upon to apply counter-measures to protect the international financial system from the ongoing money laundering, terrorist financing, and proliferation financing risks emanating from the country, thus the said countries and/or jurisdictions are placed in the FATA's "black

list". Now therefore, if the country or jurisdiction has committed to resolve swiftly the identified strategic deficiencies within an agreed timeframe and is subject to increased monitoring, then the country shall be moved to the FATA's "grey list".

In conclusion, we strongly recommend individuals and/or legal entities that wish to establish a company in an offshore jurisdiction, to consider the abovementioned benefits and factors that could assist them determine the most suitable offshore jurisdiction for their business.



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If you would like to discuss further any aspects of this Newsletter, please feel free to get in touch with one of our lawyers, using the contact details in the Contributors section below.

If you feel that other persons would be interested to read this Newsletter, please feel free to share this Newsletter.

- 18 If you wish not to have our upcoming Newsletter or if you wish to amend the contact details, please inform us by sending an email to info@hammourilaw.com, titled “non-subscription” and/or “amending the contact details”.

Warm regards,

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ABOUT HAMMOURI & PARTNERS ATTORNEYS AT-LAW

Hammouri & Partners Attorneys at-Law, is a Jordanian multi-practice law firm, founded over two decades ago (established in 1994) by the late Professor Mohammad Hammouri. Professor Hammouri was a renowned Jordanian attorney and an arbitrator, a former Minister of Culture and National Heritage and a former Minister of Higher Education, who wrote a plethora of books, primarily on constitutional rights. Professor Mohammad Hammouri also founded the first School of Law in the Hashemite Kingdom of Jordan at The University of Jordan, in which he was its first dean. Today, the firm is managed by Dr. Tariq Hammouri, a distinguished academic and attorney and a former Minister of Industry, Trade and Supply. Dr. Tariq Hammouri is both an experienced attorney and an arbitrator, an expert in the Corporate sector, Commercial Transactions, Financial Markets, Banking Law and International Trade. He is an Associate Professor at the School of Law, University of Jordan and (formerly) the Dean of the School of Law. Dr. Hammouri is also an officially appointed member of the International Center for Settlement of Investment Disputes (ICSID) Panel of Arbitrators upon designation by the Government of the Hashemite Kingdom of Jordan, for the period of 2020 to 2026.

Hammouri & Partners team consists of more than 30 attorneys and a number of other professionals working in the firm's specialized departments, providing professional legal services at a local, regional and international level. It should be noted that Hammouri & Partners are in the midst of establishing a new office for the firm in the city of Baghdad in the Republic of Iraq to provide legal services through it in a direct manner. This office is operational since September 2023.

The firm's legal services cover numerous areas of practice, including the following: Corporate and Commercial Law (whether that is corporate set-up or drafting of all types of commercial agreements), Intellectual Property Law, Banking and Finance Law (the Firm advises local and international banks regarding all Banking Transactions and Regulatory Compliance). Additionally, the Firm's Litigation and Arbitration department have the capabilities and competence to represent parties in the most complex and novel legal matters, as it encompasses expertise in several areas of law, whether it is before courts or arbitral tribunals. Hammouri & Partners Attorneys at-Law was one of the first firms in Jordan to establish a specialized International department to cater for the needs and requirements of international clients on an array of tasks with an international element, such as those regarding bilateral and international trade negotiations, projects, contracts and others.

In addition to what has previously been stated, Hammouri & Partners provides legal advice and consultation to various industries such as those of Construction & Infrastructure, Manufacturing, Engineering, Trade, Securities and Energy, as some of its clients are major energy, healthcare, information technology and telecoms companies.

Hammouri & Partners Attorneys at-Law provides its broad services throughout Jordan as well as worldwide, through established collaborations with reputable law firms in the MENA region, Europe, the United Kingdom and the USA. Hammouri & Partners has earned regional and international acclaim by the most reputable legal directories. Chambers and Partners Global, International Financial Law Review (IFLR 1000) and the Legal 500, all highlight Hammouri & Partners as a leading law firm in the Jordanian legal services industry.



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