

## A brief overview of the Madrid System in Algeria

### 1. National Legislation Implementing Madrid Protocol Obligations

- 1.1. **Presidential Decree No. 13-420 of December 15, 2013 by which the People's Democratic Republic of Algeria adhered to the Protocol Relating to the Madrid Agreement** Concerning the International Registration of Marks adopted in Madrid on June 27, 1989 as amended on October 3, 2006 and November 12, 2000.
- 1.2. **Executive Decree No. 98-68 of February 21, 1998 establishing the Algerian National Industrial Property Institute, INAPI**, in particular Article 8(6), which states: "the application of the provisions of international agreements and conventions in respect of intellectual property to which Algeria is party and, if applicable, participation in the proceedings", and Article 13.

### 2. Types of Marks that cannot be protected

<input checked="" type="checkbox"/>	Three-dimensional marks
<input type="checkbox"/>	Colors
<input checked="" type="checkbox"/>	Scents or smells
<input checked="" type="checkbox"/>	Sounds
<input type="checkbox"/>	Collective marks
<input checked="" type="checkbox"/>	Certification marks
<input checked="" type="checkbox"/>	Guarantee Marks
<input type="checkbox"/>	Others: olfactory marks

### 3. Individual Fees

Algeria does not apply individual fees.

### 4. Examination Procedure

INAPI examines absolute and relative grounds in accordance with Ordinance No. 03-06 on marks.

### 5. Time Limits to issue a Provisional Refusal or Grant of Protection

Algeria has made a declaration under Article 5(2)(b) of the protocol, which states that the time limit for the notification of refusal is replaced by 18 months.

### 6. Review or Appeal of ex officio Provisional Refusals

If the examination finds that the filed mark is excluded from registration for any of the reasons for refusal referred to in Article 7 of Ordinance No. 03-06 of July 19, 2003, the competent service will so notify the filing party and invite the party to submit its observations within two months of the notification. This time limit may be extended by a further two months if necessary, upon reasoned application by the applicant.

## **7. Opposition Procedures**

The Algerian regulations governing intellectual property rights do not provide for opposition. However, claims lodged by previous rightholders during the examination period are entertained. Moreover, Article 20 of Ordinance No. 03-06 of July 19, 2003 allows cancellation by the competent court of a registered mark, with retroactive effect on the filing date, upon application by the competent service or by a third party, where the original application should not have been granted for one of the reasons set forth in Articles 7(1) to 7(9) of the ordinance, having particular regard to sub-articles 7(8) and 7(9).

## **8. Contact Information**

Algerian National Intellectual Property Institute  
021 73 01 42/73 22 17/ 73 57 74  
info@inapi.dz