

ROYAUME DU MAROC

OFFICE MAROCAIN DE LA PROPRIÉTÉ  
INDUSTRIELLE ET COMMERCIALE

# Dialogue on Utilizing the IP System for Economic, Social and Cultural Development in the Digital Era

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## Japan and Selected Arab Countries

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### Tokyo, October 28 and 29, 2019

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Head of Patent Department  
OMPIC / Morocco



# The PTO Role and Challenge

**OMPIC aim along years**

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graph TD; A[OMPIC aim along years] --> B[Strengthen the legal certainty]; A --> C[Balanced patent system]; B --> D[A solid right, rightly used]; C --> D;
```

**Strengthen the legal certainty**

**Balanced patent system**

**A solid right, rightly used**

# The PTO Role and Challenge

Deserved patents

zone of uncertainty

Undeserved patents

# OMPIC Approach

1

- Modernize the national patent system

2

- Strengthen capacity building

3

- Transparency and share information

# 1- Modernize the national patent system

## Major phases of the development of Moroccan IP system :

### -Phase one :

1916 Law

1995 : Morocco became member of WTO

align its law with international standard (TRIPS)

### -Phase 2:

creation of OMPIC (Law 13-99 of 9/3/2000)

→ Public administration (young and modern)

→ Management and financial autonomy

# 1- Modernize the national patent system

## Major phases of the development of Moroccan IP system :

### -Phase 3:

18/12/2004 : Law 17-97 entered into force

20/02/2006 : revision of the Law 17-97 following the FTA with USA

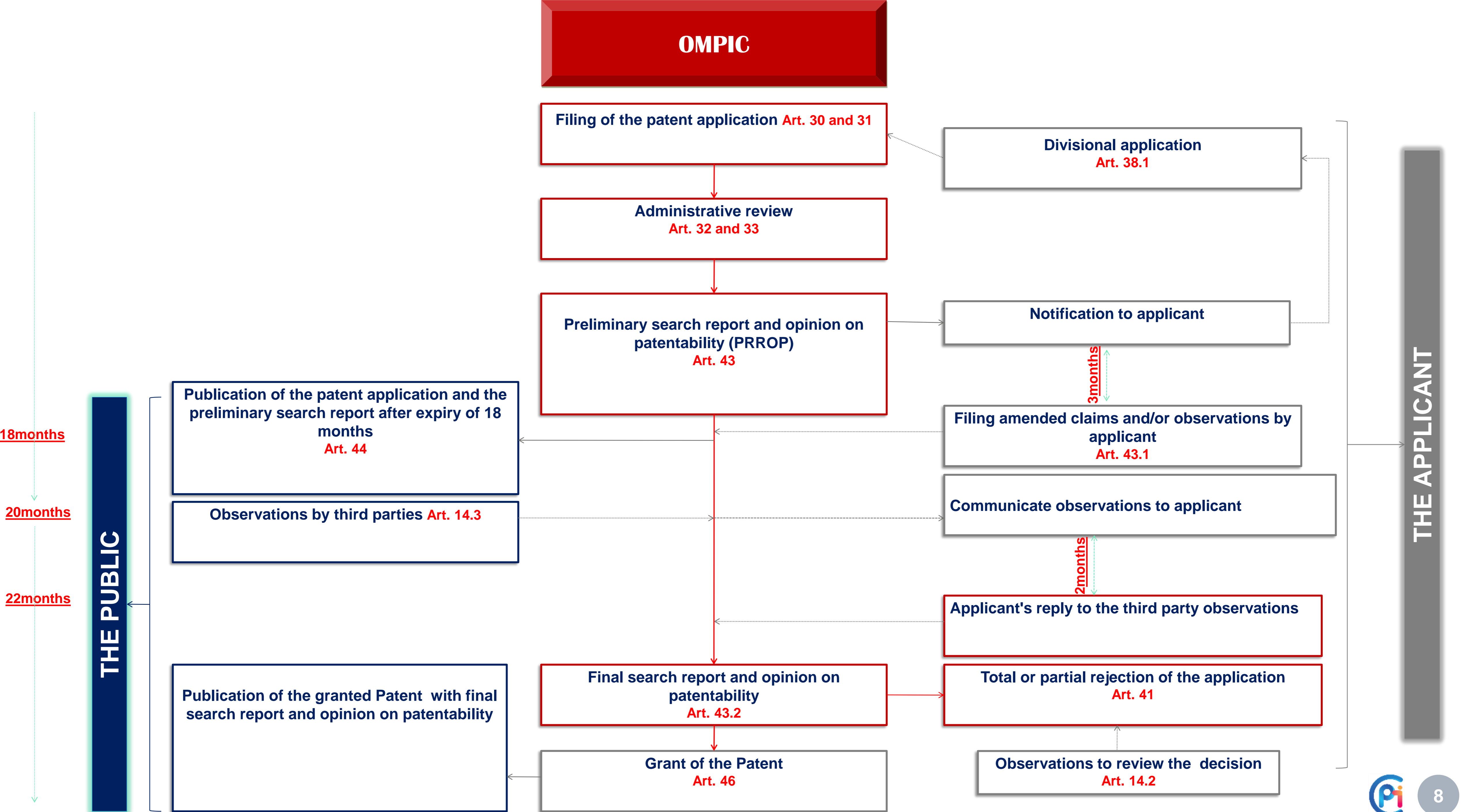
### -Phase 4:

18/12/2014 : the Law 23-13 which complete and modify the Law 17-97 entered into force

# The new Moroccan Patent System (legal certainty)

Features of the [new system](#) :

- Establishment of search report and patentability opinion
- Applicant is given the opportunity to amend his claims
- Possible observations of Third Parties
- On this basis, the patent is granted or the application is refused





## 2- Strengthen capacity building

### -Human resources :

- recruitment of patent examiners (from 3 on 2008 to 17 on 2019)
- [Training](#) on patent examination with the support of EPO (search techniques and tools, complexe issues...)

### -Search tools:

- Access and active use of EPOQUENET from September 2008
- Access to patent private databases (Derwent of Thomson ; Orbit / Questel)
- Access to the most important NPL private databases (Elsevier/science direct), via WIPO programs...

## 2- Strengthen capacity building

### - Organisation :




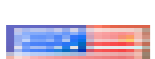











- 3 clusters (Mechanic, Energy and Green Tech (4)/ Electric, Telecom and ICT (6) / Chemistry and Biochemistry, Pharmaceuticals (7))
- Each examiner is in charge of a [set of IPC codes](#)
- Validation meeting between the examiners of the same cluster to harmonize the way of doing

 we have noticed a significant improvement of the level and the quality of the work done by our examiners

# 3- Transparency and share information

- **Guidelines** : <http://www.ompic.ma/fr/content/directives-dexamen-des-brevets-dinvention-0>
- **Publication server** : <http://patent.ompic.ma/>
  - Launched in 2010
  - Full-text of published patent applications and patents
  - Main forces : (regularity, quality, standard format)
  - Data exchange (almost all our patent data is in Espacenet, Epoque, Patenscope)
- **On line Register** : <https://patentregister.ompic.ma/SearchPatent/>
  - Launched on April 2016
  - Legal status of moroccan [patent applications and patents](#)
- **Information services:**
  - Prior art search
- **Enhance awareness and training:**
  - Judges
  - Attorneys

# Users of MA On line Register from 1<sup>st</sup> Jan 2018 to 22<sup>nd</sup> Oct 2019

Pays ?	Acquisition	
	Utilisateurs ? ↓	Sessions ?
	<b>1 649</b> % du total: 100,00 % (1 649)	<b>8 201</b> % du total: 100,00 % (8 201)
1.  Morocco	<b>990</b> (59,42 %)	<b>6 538</b> (79,72 %)
2.  India	<b>154</b> (9,24 %)	<b>424</b> (5,17 %)
3.  France	<b>106</b> (6,36 %)	<b>162</b> (1,98 %)
4.  United States	<b>105</b> (6,30 %)	<b>136</b> (1,66 %)
5.  Spain	<b>59</b> (3,54 %)	<b>237</b> (2,89 %)
6.  Luxembourg	<b>36</b> (2,16 %)	<b>96</b> (1,17 %)
7.  Portugal	<b>32</b> (1,92 %)	<b>192</b> (2,34 %)
8.  Germany	<b>22</b> (1,32 %)	<b>68</b> (0,83 %)
9.  Netherlands	<b>20</b> (1,20 %)	<b>33</b> (0,40 %)
10.  United Kingdom	<b>14</b> (0,84 %)	<b>21</b> (0,26 %)
11.  Belgium	<b>12</b> (0,72 %)	<b>25</b> (0,30 %)
12.  Japan	<b>12</b> (0,72 %)	<b>12</b> (0,15 %)
13.  Lebanon	<b>10</b> (0,60 %)	<b>125</b> (1,52 %)
14.  Switzerland	<b>9</b> (0,54 %)	<b>11</b> (0,13 %)
15.  Italy	<b>9</b> (0,54 %)	<b>10</b> (0,12 %)

# OMPIC and emerging technologies

Non patentable subject matter ?

Mathematic formula ?

Computer program ?

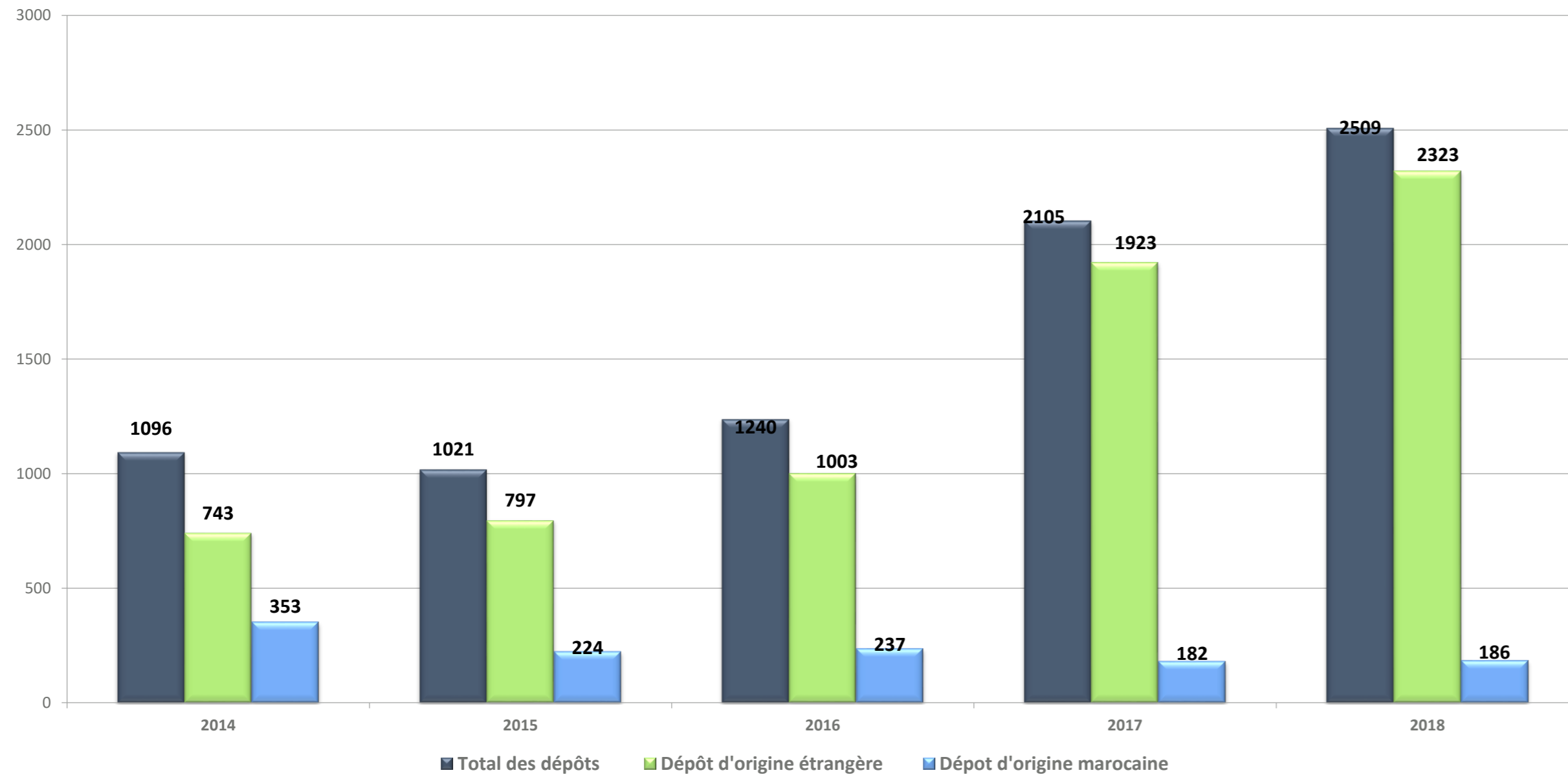
Abstract ideas ?



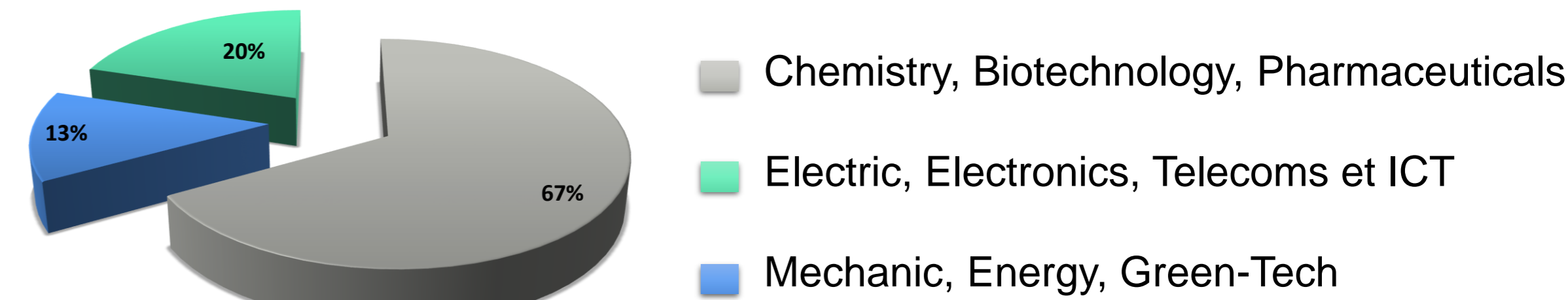
Training

Exchange of experiences

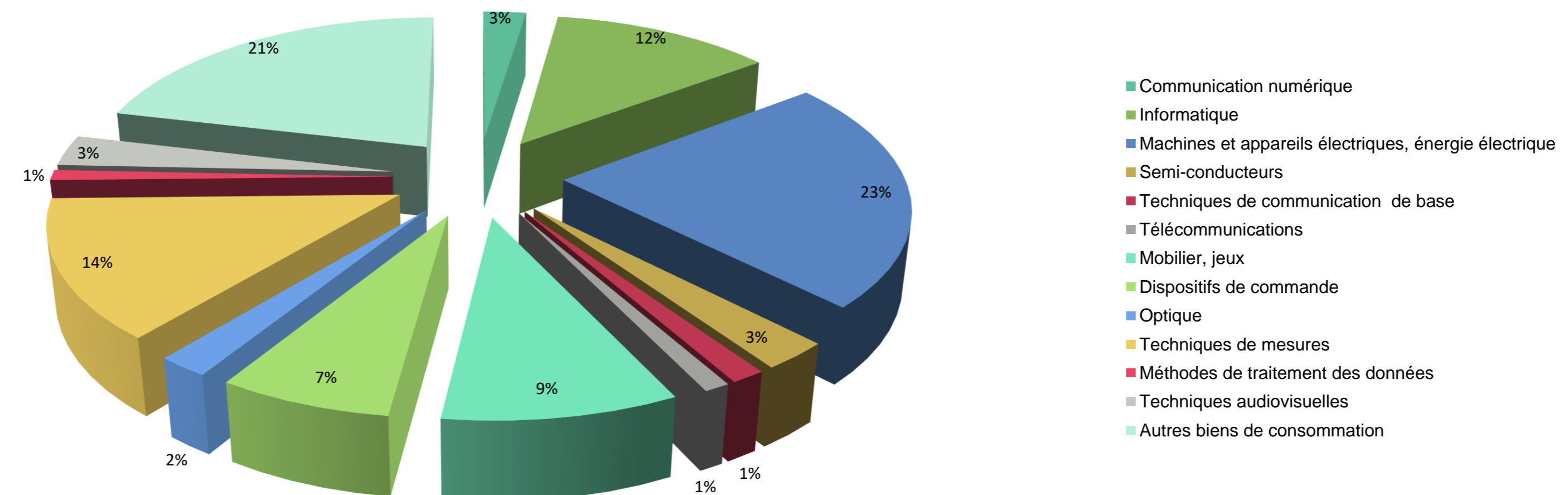
**Evolution des dépôts de demandes de brevets d'invention**



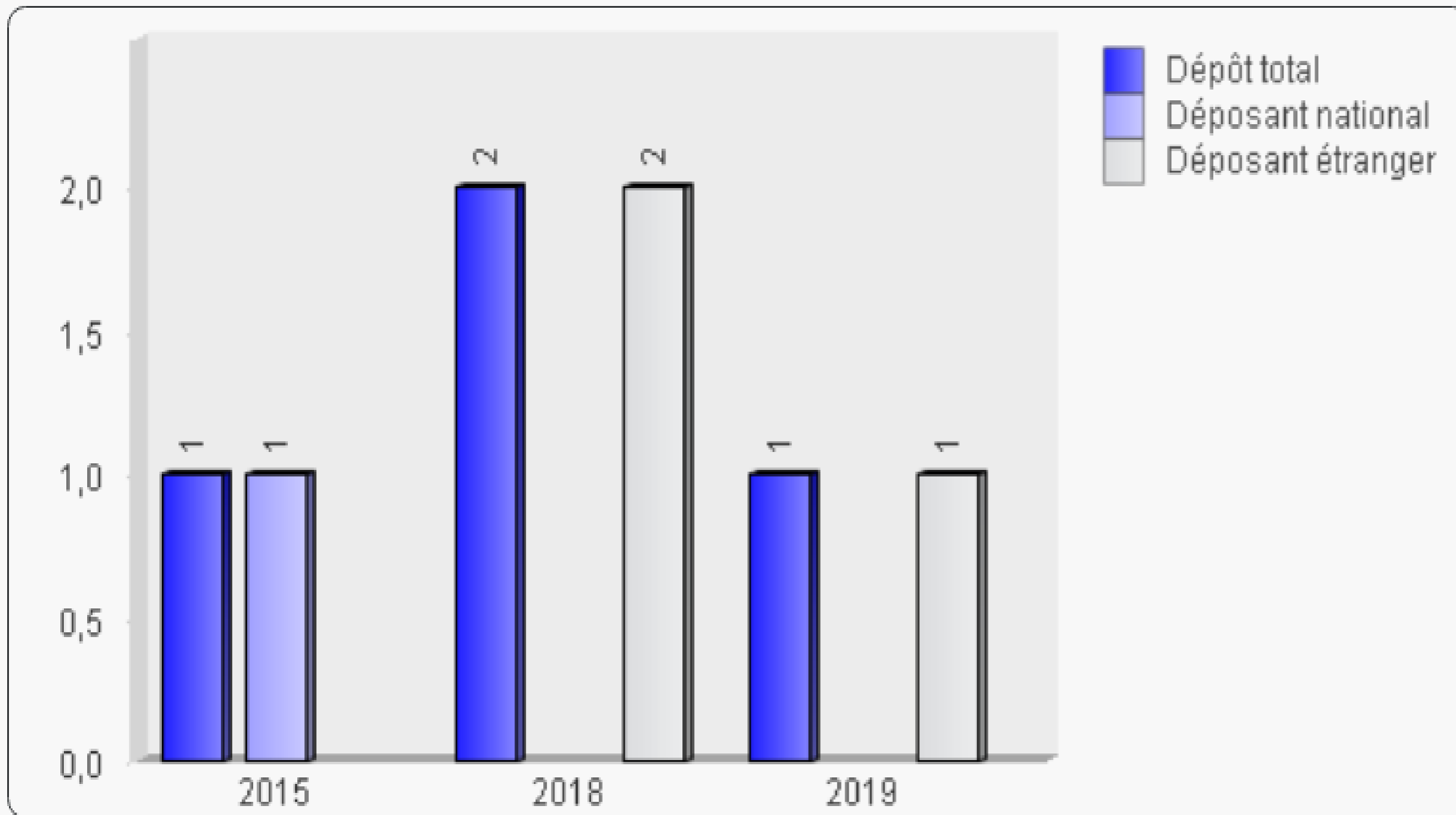
**Distribution by technological field**



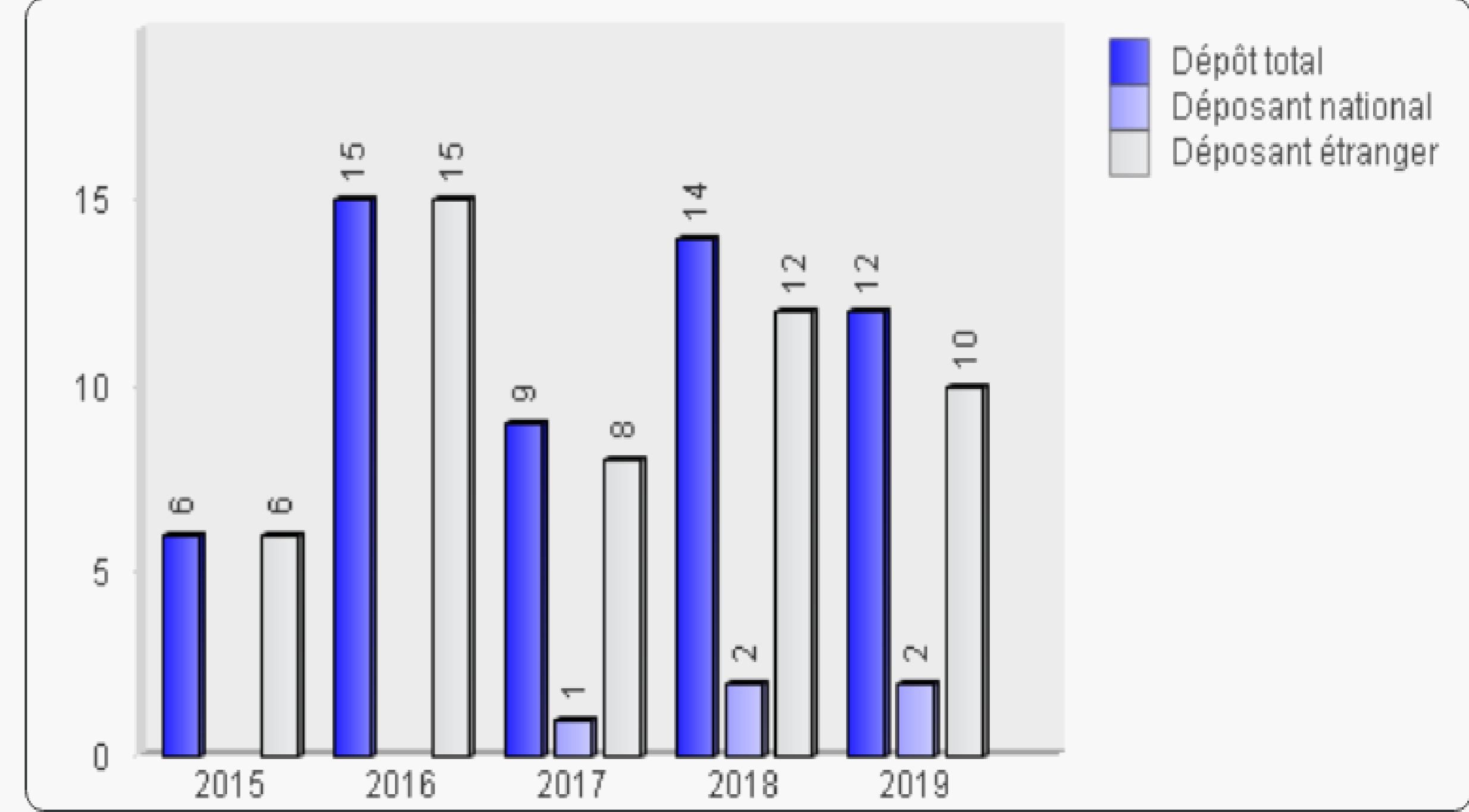
**Electricité, électronique, Télécoms et TIC**



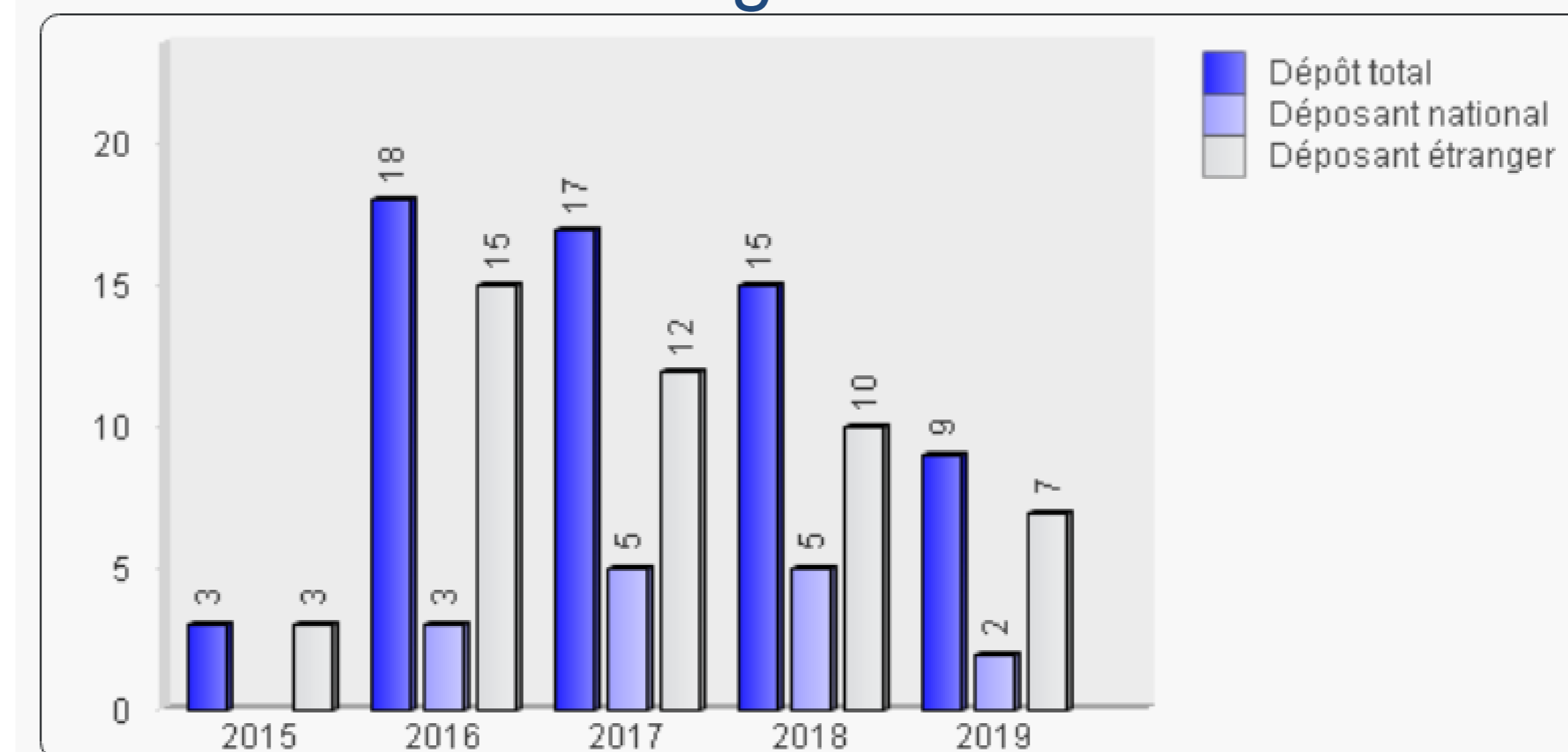
## Artificial Intelligence : G06N3/00



## Wireless Communication Networks : H04W



## Transmission of digital information : H04L



# Dematerialisation and automation

1- On line Filing : 67% in 2018 / 70% in 2019



2- Paperless : all documents are digitalised and stored on the information system



3- dashboard for tracking the processing of patent applications and productivity



**Brevets** Année de dé... [ ] janv. févr. mars avr. mai juin juil. août sept. oct. nov. déc.

**Current Selections**

Effacer les sélections << >>

Type de brevet

Nature Déposant

PAYS

Section

Classe

Sous-classe

Mandataire

Statut

Nom ACTION

EXAMINER

**Brevet par examinateurs**

USER_NAME	STATUS_NAME	Total
BAMI	brevet validé publié	1
	Brevet_en_vigueur	20
	demande en cours d'examen	1
	Demande préclassée et affectée	12
	En attente de délivrance	5
	En attente de RR déf	21
	En attente_publicationA1'	1
	examen observations-rejet tot	1
	Rapport recherche préliminaire effectué	2
	rejet définitif	83
	rejet Tot notifié_attente_obs	13
	RRP notifié	11
BELAFKIH	Brevet délivré	5
	Brevet_en_vigueur	2
	En attente de RR déf	1
	rejet définitif	30
	Brevet délivré	23

**Brevet par examinateurs**

USER_NAME	Total
BAMI	206
BELAFKIH	38
BELCAID	169
BENCHEKROUN	133
BENDAOU	51
BRINI	182
ELBEKKALI	41
ELHASSOUNI	31
ELKADIRI	223
ELKADRI	91
ELKINANI	208
FERHANE	103
KARTIT	38
KHASSAL	66
LAHCHIMI	170
MESLOHI	149
OMRICH	552

**Liste de la sélection : 10108**

USER_NAME	File_nbre	Objet	Déposant	Durée par rapport date dépôt en mois	Durée par rapport date statut en mois	Date statut	Statut
KHASSAL	39223	Methode d'adaptation du protocole PIM-SM pour le p...	Université Mohammed V Rabat	39	9	16/01/2019	rejet définitif
	39234	dispositif électronique de protection contre les incend...	Université Mohammed V Rabat	39	12	31/10/2018	Brevet délivré
	39236	Porte baguaques intelligent	Université Mohammed V - RABAT	39	14	15/08/2018	rejet définitif
	39243	Un modèle flexible et interopérable d'agrégation d'att...	Université Mohammed V Rabat	39	13	28/09/2018	Brevet délivré
	39324	METHODE DE COORDINATION ENTRE PLUSIEURS AP...	ATLAN SPACE SARL	38	12	31/10/2018	Brevet délivré
	39364	SYSTEME DE FOURNITURE D'ACCES A L'INTERNET	AL AMRI MOOSA EISA	37	13	30/09/2018	rejet définitif
	39758	EMBARCATION LÉGÈRE RESSEMBLANT A UN KART	PARIS DAKART ÁREA RECREATIV...	33	13	15/09/2018	rejet définitif
	40093	SYSTÈME DE RENFORCEMENT DE PARE-CHOCS POU...	ARCELORMITTAL	32	1	17/09/2019	Brevet_en_vigueur
	40099	DISPOSITIFS DENTAIRE,ET LEURS SYSTEMES ET P...	MIRADENT GROUP SALES, INC.	32	13	30/09/2018	rejet définitif
	10108	DISPOSITIFS DENTAIRE, ET LEURS SYSTEMES ET P...	MIRADENT GROUP SALES, INC.	32	13	30/09/2018	rejet définitif

# Morocco in the 21 position

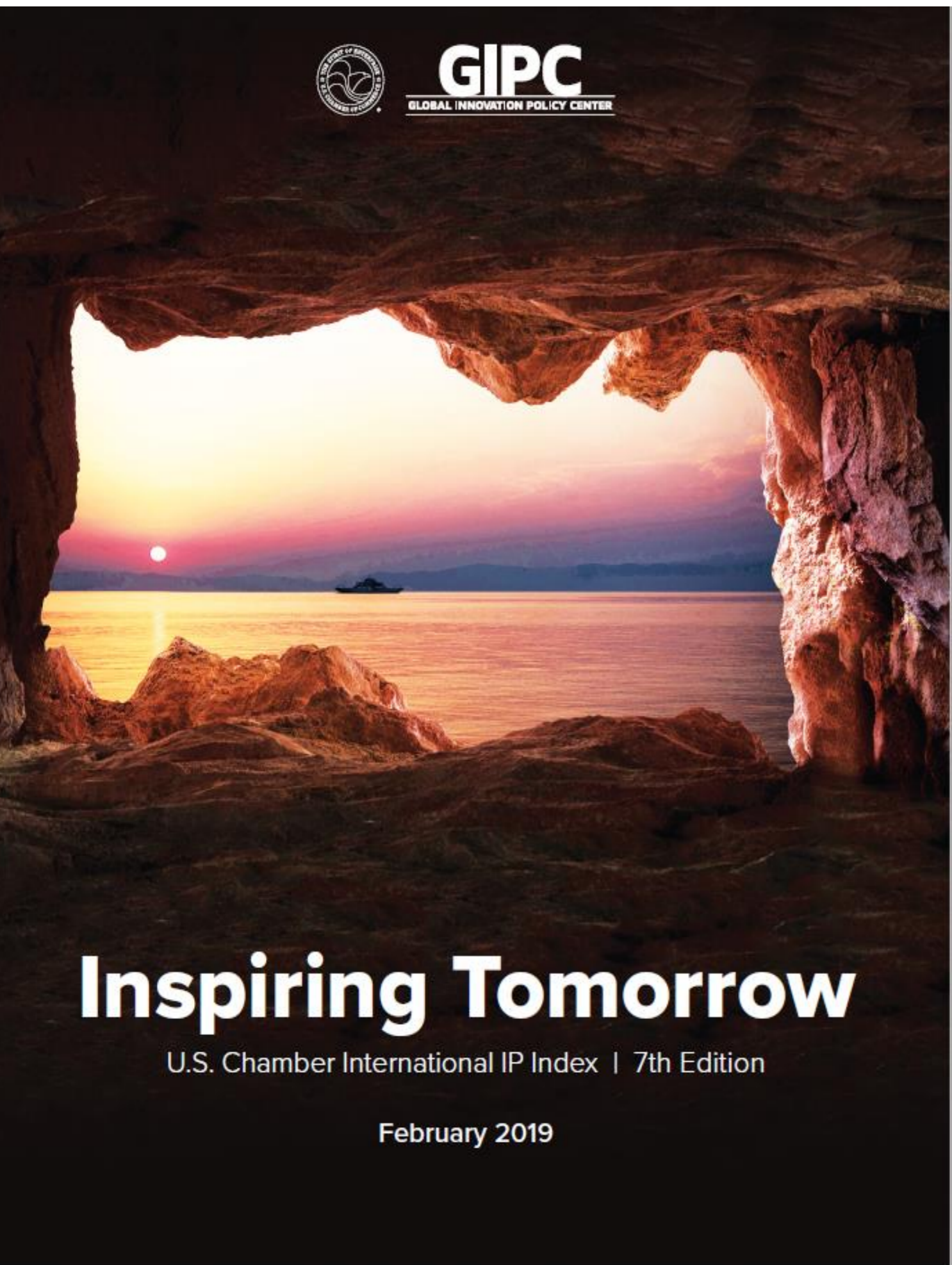
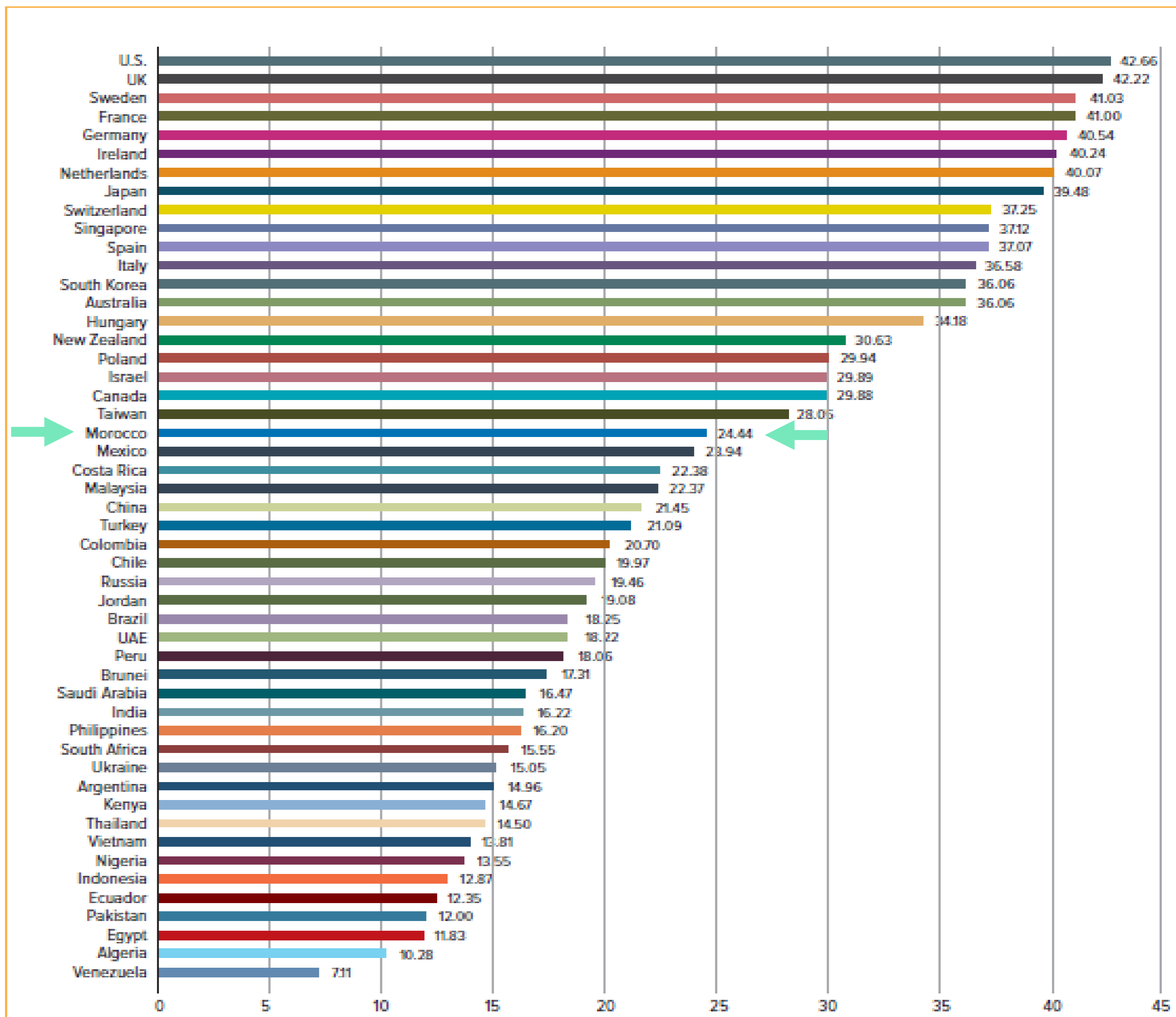


Figure 1: U.S. Chamber International IP Index 2019, overall scores



**Thank you for your attention**  
**[elafia@ompic.ma](mailto:elafia@ompic.ma)**



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