



Intellectual Property Rights: Major challenges and how to overcome them in Egypt, Lebanon, and Tunisia

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GROUP

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INVESTMED is an EU-funded ENI CBC Med project that aims to support the development of new, sustainable entrepreneurship and business initiatives in the blue, green and creative sectors for young people and women in Tunisia, Egypt, and Lebanon.

One of the main objectives of this initiative is to facilitate the registration process of Intellectual Property Rights, as it acts as an important tool for the development and sustainability of businesses.

Thus, this report intends to provide recommendations for both public authorities and business support organizations – or any type of organizations that work with entrepreneurs – in order to create a more enabling IPR ecosystem in the program’s target countries.

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Introduction

Intellectual Property Rights (IPR) play a pivotal role, functioning as a catalyst for economic growth, innovation, and the bolstering of regional competitiveness. The establishment of a robust IPR framework thus stands as a cornerstone, safeguarding the intellectual creations, inventions, and artistic pursuits of entrepreneurs and enterprises. This foundation nurtures a culture of perpetual innovation and knowledge dissemination. By ensuring the protection of intellectual assets, IPR fosters confidence among entrepreneurs, affirming the shielding of their inventive ideas from unauthorized use. This assurance, in turn, spurs increased investments in time, resources, and expertise, aimed at propelling the development of groundbreaking products and services. This infusion of investment not only draws external capital but also facilitates the transfer of cutting-edge technologies and encourages research and development efforts.

Some countries in the MENA region, feature IPR registration frameworks which exhibit a degree of volatility, with the efficacy and efficiency of IPR-related systems contingent upon a multitude of country-specific factors, encompassing the intricate interplay of legislative structures, the capacities of public institutions, the robustness of infrastructure, and the vibrancy of the entrepreneurial ecosystem. Consequently, the emergence of gaps within IPR frameworks is directly linked to inefficiencies found within these dynamic variables, leading to a diverse array of manifestations that impact the protection and promotion of intellectual property.

Lebanon, Tunisia, and Egypt have demonstrated a growing awareness of the significance of IPR in promoting innovation. This significance is underscored by Lebanon's commitment to fostering a knowledge-based economy, Tunisia's strides in aligning its IP laws with international standards, and Egypt's dedication to creating a conducive business environment through its IP Development Strategy as part of Egypt Vision 2030. However, while the commitment to IPR is evident in those countries, challenges persist. Lebanon navigates a complex legislative landscape with a backlog of draft laws, Tunisia seeks to bridge the gap between awareness and utilization among Micro, Small, and Medium-sized Enterprises (MSMEs), and Egypt launches the National Intellectual Property Strategy (NIPS) and intends to adapt its IP laws to the digital economy. These challenging milestones, along with several diverse challenges, have resulted in complex and challenging IPR processes, posing obstacles for entrepreneurs, and hindering their ability to flourish, innovate, and gain global traction.

This report is based on a qualitative study¹ conducted by Beyond Group, as part of the INVESTMED project². The primary purpose of this study is to provide meticulously crafted recommendations to streamline and simplify the procedures associated with IPR registration for entrepreneurs operating within and from Lebanon, Tunisia, and Egypt. By alleviating the intricate burdens associated with intellectual property protection, the ultimate aim is to stimulate an upsurge in creative ideation and commercialization. The untapped potential harbored by the region's enterprising individuals stands to be unlocked, ushering in a new era of innovation and economic growth.

Methodological Brief³

This study aims to shed light on the current situation of IPR in each of Egypt, Lebanon, and Tunisia, focusing on challenges related to the IPR enabling environment in each of the countries, also providing insights on opportunities for the way forward. The study assumes that an IPR-enabling environment is positively linked to the effectiveness and efficiency of IPR systems, meaning the processes required for individuals and enterprises seeking to obtain IPRs.

The qualitative data collected in this study comes from three different sources, namely actors who are the closest to IPR processes, i.e., public authorities working in or in close coordination with IPR offices, entrepreneurship ecosystem actors, including business support organizations and experts who work with enterprises who are potential or actual beneficiaries of IPR, and entrepreneurs who are direct beneficiaries of IPR.

1 Qualitative data collected through consultation sessions with entrepreneurs, public authorities and business support organizations

2 INVESTMED is an EU-funded ENI CBC Med project that aims to support the development of new, sustainable entrepreneurship and business initiatives in the blue, green and creative sectors for young people and women in Tunisia, Egypt and Lebanon

3 More details on the methodology of this study are annexed to this report

Analytical framework

The data collected in this study reflects various types of gaps in IPR systems. When analyzed, those gaps were found to pertain to three major divisions: IPR gaps within legislative and regulatory premises, IPR gaps within the executional premises, and IPR gaps associated with entrepreneurs' awareness, behavior, and practices.

When it comes to data related to opportunities for enhanced IPR systems, the same divisions were found to prevail. In this context, the three divisions are presented as drivers for an IPR-enabling environment where IPR systems are found to be effective and efficient. As shown in figure 1, gaps in each of those drivers can hinder IPR systems and keep individuals, enterprises, and economies from reaping the benefits of IPR. On the other hand, as shown in figure 2, IPR related reforms at each of those levels could contribute positively to IPR systems and the consecutive benefits on economic growth, innovation and even regional competitiveness.

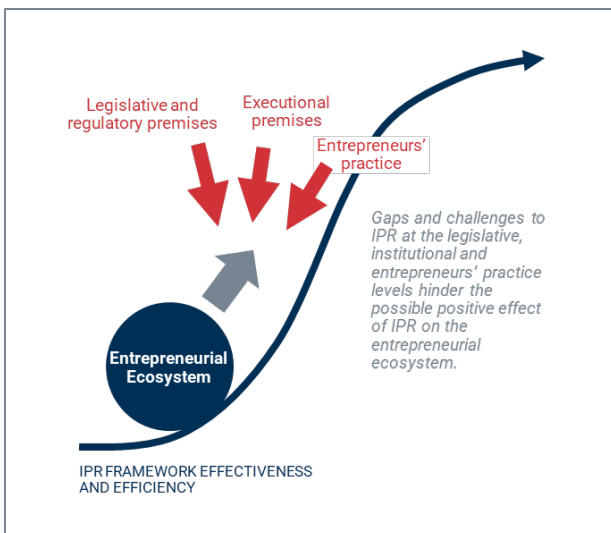


Figure 1: Challenges at the legislative, executional, and entrepreneurial premises hindering increase in IPR systems effectiveness and efficiency

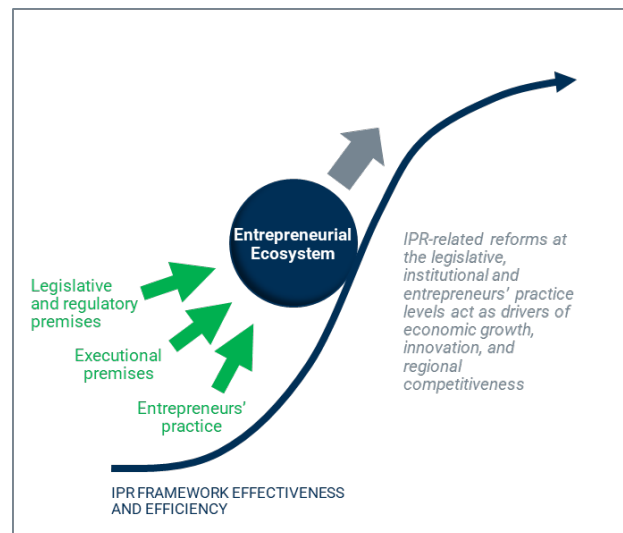


Figure 2: Opportunities at the legislative, executional, and entrepreneurial premises promoting IPR systems effectiveness and efficiency

The main objective of this report is to provide a comprehensive account of the latest IPR-related contextual factors and major gaps for each of Egypt, Lebanon, and Tunis. For each of the countries, a contextual overview is provided, followed by the main gaps identified through this study, and complemented with a set of tailored recommendations at the legislative, institutional, and entrepreneurial levels.

Egypt's IPR Reform Vision Challenged by Legislative and Executorial Fragmentation

General overview of the IPR landscape in Egypt

Egypt's dedication to IPR protection is evident through the launch of the National Intellectual Property Strategy (NIPS) in 2022. NIPS aims to bolster the IP institutional structure, enhance legislative provisions, align economic benefits with sustainable development goals, and raise awareness about the importance of IPRs.⁴ This proactive approach showcases Egypt's commitment to adapting its IP laws to the digital economy and promoting economic growth.⁵

In recent times, authorities have become more actively involved in enforcing intellectual property rights by introducing new regulations to combat counterfeit products, i.e., since establishing the Economical Court in 2008 for handling IP matters.⁶ Additionally, measures have been taken to prevent illicit imports, requiring goods to be authorized by the General Organization for Export and Import Control (GOEIC) based on manufacturer and trademark information. Notably, Nathan Associates played a pivotal role in enhancing IPRs by modernizing industrial property offices, drafting laws, and emphasizing public support for IPRs. Their efforts have positioned Egypt as a leader in safeguarding intellectual property and fostering an environment of innovation.⁷

Egypt adheres to the 11th edition of the Nice classification for trademarks, allowing multi-class applications. Trademark examination covers formal, absolute, and relative grounds, with oppositions possible within 60 days of publication. Trademark protection lasts 10 years and can be renewed, while non-use for five consecutive years may lead to cancellation. In the realm of patents, the Egyptian Patent Office serves as an International Search Authority and Preliminary Examining Authority, particularly advantageous for Arabic filings due to language compatibility and accessible fees.⁸

International Agreements

Egypt's legislative efforts have contributed significantly to IPR protection. Law 82 of 2002 bolsters regulations, oversees copyright enforcement, and collaborates with various governmental and non-governmental entities for effective implementation.⁹

4 LOUTFI Z. (2022), Egypt's National Strategy for Intellectual Property – What Impact on Copyright?, Wolters Kluwer, [URL](#)

5 SAKR M. (2019), Experience of Egypt in technology transfer and IPR management, ESCWA, [URL](#)

6 SABA Intellectual Property (2022), Destination North Africa: Insights on IPR Protection in Egypt, a Country Full of Possibilities, [URL](#)

7 ibid

8 ibid

9 European Commission, IP Country Fiche - Egypt, [URL](#)

Collaboration with the European Union, including the 2005 agreement for scientific and technological cooperation, has elevated IPR Protection and research collaboration. Furthermore, Egypt's participation in the European Research Area (ERA) and the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) further supports innovation and knowledge sharing.¹⁰ The issuance of the 2018 law for Science, Technology, and Innovation (STI) incentives also marks a pivotal step in creating an enabling environment for innovation and technology transfer.¹¹

Major challenges related to IPR in Egypt

Despite Egypt's dedicated national efforts to enhance the IPR landscape, persistent challenges remain. Egypt's declining performance in various sub-indices, including Legal, Political and Judicial Independence, has prompted the government to embark on IPR law updates since September 2020, with an initial draft submitted to Parliament in December 2021, focusing on technical and administrative aspects of innovation registration.¹²

The Egyptian Research Forum's 2021 paper highlighted gaps in local IPR protection, emphasizing the need for comprehensive legal updates to address significant deficiencies in areas like copyright piracy and digital rights management, pivotal for digital transformation.¹³ Another notable gap pertains to the absence of protection for antiquities and historical symbols, despite discussions about potential laws for annual royalty payments on unauthorized replicas since 2007.¹⁴ Furthermore, within Egyptian makerspaces, formal IPR Protection takes a back seat due to popular preferences for open-source approaches, limited IP understanding, and a preference for competition and secrecy over seeking formal IPR Protection like patents.¹⁵

Based on data collected from consultation sessions with public officials, ecosystem actors¹⁶ and entrepreneurs in Egypt, gaps to Egypt's IPR systems are broken down into three levels. First are the gaps related to the legislative framework including policies and regulations, second are the gaps related to execution, and third are the gaps related to the behaviors and practice of entrepreneurs themselves.

10 ESCWA (2019), Intellectual Property for Fostering Innovation in the Arab Region, [URL](#)

11 SABA Intellectual Property (2022), Destination North Africa: Insights on IPR Protection in Egypt, a Country Full of Possibilities, [URL](#)

12 HAFEZ T. (2022), Egypt To Reform Its IPR Laws To Spur Innovation, Business Monthly, [URL](#)

13 ibid

14 ibid

15 ELHOUSSAMY N. and RIZK N. (2020), Innovation Practices at Makerspaces in Egypt, Tunisia and Morocco, The African Journal of Information and Communication (AJIC), 26, 1-25. [URL](#)

16 The term "ecosystem actors" is used in this report as a reference to organizations and individuals active in the entrepreneurship ecosystem, including but not limited to business support organizations, business experts, entrepreneurs, international organizations conducting business support programs for entrepreneurs, start-ups and MSMEs, etc.

Challenges linked to legislative and regulatory premises

Policy fragmentation hinders effective IPR Protection and alignment

The complexity of Egypt's Intellectual Property Rights (IPR) framework is compounded by a lack of policy coherence and overlaps among various IPR-related policies and initiatives. This fragmentation results in inefficiencies and confusion within the IPR landscape. Entrepreneurs seeking clear guidelines for protecting their innovations face difficulties navigating the convoluted regulatory environment. The absence of streamlined policies contributes to overlaps, contradictions, and redundant efforts, ultimately impeding effective IPR Protection and registration processes. A need for better coordination and alignment of policies to support IPR Protection and registration is paramount, as it would reduce confusion, improve efficiency, and enhance the overall effectiveness of the IPR framework.

IPR laws and regulations are not easily accessible due to informational gaps

In Egypt, inadequate awareness regarding Intellectual Property (IP) protection and registration undermines the very essence of effective IP safeguarding. Entrepreneurs, particularly those in the early stages of their ventures, often lack the necessary understanding of the importance of IPR Protection and the corresponding national laws to obtain their IPR. Insufficient knowledge about IP-related laws, benefits, and processes contributes to low registration rates and exposes innovators to risks of infringement. The lack of proper communication tailored to various industries and sectors results in missed opportunities for entrepreneurs to capitalize on their intellectual assets. Communicating the significance of IPR Protection not only enhances entrepreneurs' ability to safeguard their creations but also cultivates a culture that values and respects intellectual property, contributing to the overall growth of the economy.

Challenges linked to executorial premises

Inadequate implementation of strategies hinders improvements in the IPR landscape

While Egypt may have developed strategic plans and initiatives to enhance its IPR ecosystem, challenges in implementing and following up on these strategies can hinder their effectiveness. Without proper execution, the intended outcomes of these strategies may not be achieved. This gap can stem from factors such as a lack of coordination, insufficient resources, or changing priorities. Adequate implementation is essential to ensure that the strategic initiatives translate into tangible improvements in the IPR landscape.

Fragmented IPR Offices lead to inefficiencies and data fragmentation, hindering IPR systems

The presence of scattered and separate IPR offices in Egypt can lead to data fragmentation and inefficiencies in IP registration and examination processes. When offices are not well-coordinated and do not collaborate effectively, it can lead to duplication of efforts, inconsistencies in processes, and difficulties in accessing centralized information. This fragmentation can hinder the overall effectiveness of the IPR ecosystem, making it challenging for entrepreneurs and innovators to navigate the system smoothly and obtain timely protection for their intellectual property.

Shortage of staff capacities causes delays in IP registration and compromises quality

Many IPR offices might face capacity issues due to a shortage of trained examiners and employees. This lack of capacity can result in delays in the registration process and insufficient examination of IP applications. Without well-trained personnel, the quality of examination and the accuracy of granting IP rights could be compromised. Enhancing the capacity of IPR office staff through comprehensive training programs can lead to more efficient processing of applications and better-informed decisions.

Limited resources and equipment in IPR offices lead to errors and inefficiencies in IP registration

Some IPR offices may lack the necessary resources and equipment, such as effective scanners and digitalization tools. In an increasingly digital age, having the right tools is crucial for efficiently managing the registration process. Limited resources can lead to delays, errors, and inefficiencies, negatively impacting the overall quality of services provided to entrepreneurs and innovators seeking IPR Protection.

Challenges linked to entrepreneurs' practice

Entrepreneurs' limited understanding of IPR Protection hinders their access to IP safeguarding

Entrepreneurs in makerspaces and innovative spaces may have a limited understanding of formal IPR Protection mechanisms, such as patents. These spaces often foster a culture of innovation and competition, where entrepreneurs may prioritize secrecy and rapid development over seeking formal IPR Protection. The incremental nature of their innovations might make them believe that they do not qualify for patents. However, this limited understanding can lead to missed opportunities for protecting and commercializing their innovations. Educating entrepreneurs about the value of different forms of IPR Protection and how they can be applied to various types of innovations is therefore essential.

Distrust in the IP system undermines entrepreneurial engagement in protection

Some entrepreneurs in Egypt might lack trust in the IP registration system due to concerns about its effectiveness in providing adequate protection and enforcement. Worries about IP infringements, piracy, and the complexity of legal processes can lead entrepreneurs to hesitate before seeking formal IPR Protection. Building trust in the system through transparent processes, streamlined procedures, and successful case studies can encourage entrepreneurs to engage with IPR Protection measures more confidently.

Entrepreneurs face financial barriers when it comes to IPR Protection in Egypt

The significant financial barriers associated with registering and protecting intellectual property can be a major challenge for entrepreneurs. The costs involved in obtaining patents, trademarks, or copyrights can be particularly prohibitive for start-ups and small businesses with limited financial resources. Entrepreneurs may find it difficult to allocate funds to IPR Protection, especially when they are focused on other pressing needs. This financial constraint can hinder their ability to secure formal IPR Protection, even if their innovations have the potential to be valuable assets.

Recommendations on IPR reforms in Egypt

Recommendations linked to legislative and regulatory premises

Harmonize and Streamline Policies: A thorough review of existing IP-related policies and initiatives should be conducted to identify overlaps, contradictions, and gaps. This review will pave the way for developing a strategy that harmonizes and streamlines policies, eliminating inconsistencies and enhancing policy clarity.

Establish a Centralized Coordination Body

To ensure consistent and well-coordinated IP policies, it is essential to create a centralized authority or body responsible for overseeing and harmonizing all aspects of IP-related regulations. This entity should collaborate closely with various government ministries, agencies, and stakeholders to ensure a unified and streamlined approach.

Engage Diverse Stakeholders: Involving key stakeholders, including industry representatives, legal experts, academia, and entrepreneurs, in the policy-making process is crucial. Their diverse perspectives and expertise can contribute to crafting comprehensive policies that cater to the needs of various sectors.

Provide Clear and Accessible Guidelines: Developing easily accessible and transparent guidelines for entrepreneurs to navigate the IPR Protection and registration processes is vital. These guidelines should offer step-by-step instructions, relevant forms, and illustrative examples to facilitate a better understanding of the procedures.

Implement Regular Policy Reviews: Establishing a systematic review mechanism for policies is essential to evaluate their effectiveness and adapt to emerging challenges. This mechanism will enable timely adjustments to keep up with evolving technological, economic, and legal landscapes.

Enhance Capacity Through Training: Investing in training programs for government officials and legal professionals can enhance their comprehension of IP laws and regulations. This, in turn, ensures accurate interpretation and application of policies.

Draw Insights from International Models: Benchmarking Egypt's IP framework against successful international models and adapting best practices to the local context can offer valuable insights for improving policy coherence.

Launch Targeted Public Awareness Campaigns: Initiating focused public awareness campaigns can educate entrepreneurs about the significance of IPR Protection and the advantages of adhering to streamlined policies. These campaigns play a pivotal role in fostering a culture of respect for intellectual property rights.

Enhance IPR Training Programs

Public authorities should collaborate with experienced legal experts and specialists in intellectual property rights to develop comprehensive training programs. These programs should target various stakeholders, including examiners, lawyers, and entrepreneurs. By covering IPR laws, procedures, and best practices, these training programs can improve understanding and awareness of intellectual property rights. Well-informed professionals and entrepreneurs can make more informed decisions regarding IPR Protection, enforcement, and commercialization.

Recommendations linked to executional premises

Simplify and Standardize Registration Processes

Public authorities should streamline and standardize the registration processes for different types of intellectual property, such as patents, trademarks, and copyrights. Simplified processes can reduce bureaucracy and associated costs, making it more accessible for startups and entrepreneurs. Establishing a unified and digitized platform for IP registration would further enhance efficiency and convenience, encouraging more individuals to seek formal protection for their innovations.

Establish a Centralized IPR Platform

Creating a centralized IPR platform is crucial for consolidating information, resources, and training materials related to intellectual property. This platform should be user-friendly and accessible to individuals interested in IPR Protection. By offering guidance on various IPR matters, including trademark registration and patent procedures, this platform can bridge the gap in awareness and provide entrepreneurs with clear instructions for the registration process.

Improve Collaboration Among IPR Offices

Public authorities should facilitate collaboration and data sharing among different IPR offices. This collaboration can lead to streamlined registration processes and improved examination efficiency. Addressing political issues and encouraging the merger of offices can create a unified and efficient system, reducing duplication of efforts and creating a more consistent and effective IPR ecosystem.

Empower Examiners with Specialized Training

Organizing specialized training programs for examiners is essential to enhance their capacity and understanding of complex IPR issues. Ongoing training and capacity-building initiatives are crucial to ensure that examiners stay up-to-date with evolving technologies and innovations. Well-trained examiners can lead to more accurate assessments of IP applications, reducing the likelihood of lawsuits and infringements.

Address Capacity Constraints in Public Institutions

Exploring innovative solutions, such as flexible employment arrangements and digitalization of processes, can help address capacity constraints in public institutions responsible for IP registration. Prioritizing efficient handover and knowledge transfer during community service periods can ensure a smooth transition of responsibilities and maintain the quality of service.

Recommendations linked to entrepreneurs

Provide Specialized IPR Support

Business Support Organizations (BSOs) play a crucial role in assisting startups and entrepreneurs with their IPR needs. By establishing specialized IPR support services, BSOs can offer tailored guidance and assistance during the IP registration process. This can include helping entrepreneurs understand the different types of IP rights, the importance of protection, and the steps involved in the registration process. Providing this support can alleviate concerns and uncertainties that entrepreneurs may have about IPR.

Develop Customized Training Programs

BSOs should design customized training programs on IPR laws and procedures. These programs should address the specific needs and challenges faced by startups, offering practical insights into how to navigate the complexities of IPR Protection. By tailoring the training to the startup context, BSOs can enhance the understanding of entrepreneurs, enabling them to make informed decisions about protecting their intellectual property.

Coordinate Resources and Information

BSOs can enhance their impact by coordinating with public authorities, legal experts, and other stakeholders to create a unified platform. This platform should provide entrepreneurs with easy access to information, resources, and training materials related to IPR. By consolidating resources and making them readily available, BSOs can facilitate a smoother and more informed IPR journey for entrepreneurs.

Promote Open Innovation and Collaboration

BSOs should recognize the importance of open innovation and collaboration, especially in makerspaces and innovation hubs. While promoting open-source approaches, BSOs can educate makers about the benefits of formal IPR Protection where applicable. This dual approach encourages knowledge sharing while also helping entrepreneurs make strategic decisions about protecting their intellectual property.

Facilitate Access to Funding

BSOs should proactively assist startups in accessing funding opportunities for IPR Protection. They should maintain connections with investors, venture capitalists, and funding organizations that support startups seeking to protect their innovations. By facilitating access to funding, BSOs can help entrepreneurs overcome financial barriers and promote the value of IPR Protection.

Advocate for IPR Policy Reforms

BSOs can play a pivotal role in advocating for IPR policy reforms that simplify and improve the registration process. They should engage with public authorities and other stakeholders to communicate the challenges faced by startups and entrepreneurs. By providing firsthand insights, BSOs can contribute to policy changes that address gaps and create a more favorable environment for IPR Protection.

Organize Capacity-Building Workshops

Capacity-building workshops and seminars organized by BSOs can significantly enhance awareness and knowledge among entrepreneurs. These workshops can cover a wide range of IPR-related topics, from IP management and commercialization strategies to enforcement techniques. By offering practical guidance and sharing best practices, BSOs empower entrepreneurs to make informed decisions about protecting their intellectual property.

Lebanon IPR Landscape Crippled by Institutional Inefficiencies

General overview of the IPR landscape in Lebanon

Lebanon's commitment to nurturing a knowledge-based economy is underscored by its recognition of the importance of reforming the intellectual property regulatory framework, as highlighted in the 2019 Lebanon Economic Vision report. The country operates under two main laws governing intellectual property rights: the Commercial and Industrial Property Law (Law No. 2385 of 1924 on Commercial and Industrial Property Rights), and the Protection of Literary and Artistic Property Law (Law No. 75 of 1999 on the Protection of Literary and Artistic Property).¹⁷

In a bid to enhance administrative efficiency, Lebanon has embarked on administrative simplification efforts since the year 2000. This entailed the formation of a specialized team of experts which has been instrumental in proposing reforms, offering training, and fostering intergovernmental connections. The integration of e-government initiatives with administrative simplification was also presented in the process as a promising avenue for modernizing public administration, streamlining processes, and facilitating IPR-related matters.¹⁸

The Intellectual Property Protection Office (IPPO) is a notable entity that plays a pivotal role in the realm of IPRs in Lebanon. Despite resource constraints, IPPO has forged partnerships with the World Intellectual Property Organization (WIPO) to cultivate an IP-aware culture through a range of educational tools, including guides, seminars, conferences, and awareness campaigns tailored to entrepreneurs and small and medium-sized enterprises (SMEs). Leveraging technology, IPPO offers effective online trademark search tools and a user-friendly trademark e-registration system, simplifying the registration process and promoting greater compliance.¹⁹

The ISF Cybercrime and IP Unit, along with the Money Laundering and Financial Crimes Unit, play pivotal roles in bolstering IPR enforcement endeavors. Their focus on combating online counterfeiting, copyright infringements, and trademark violations significantly contributes to safeguarding intellectual property rights.²⁰

17 ESCWA (2019), Intellectual Property for Fostering Innovation in the Arab Region, [URL](#)

18 *ibid*

19 *ibid*

20 MEHRAVARI P. (2022), Lebanon - Country Commercial Guide, International Trade Administration - U.S. Department of Commerce, [URL](#)

International Agreements

Lebanon is not a member of the World Trade Organization. It still has an observer status. Hence, TRIPs provisions are not applicable or observed in Lebanese legislation yet. There were efforts to have the laws updated to comply with TRIPs, but said efforts have only been made to the patent law.

Major challenges related to IPR in Lebanon

The legislative landscape also reveals a significant backlog of draft laws pending parliamentary approval for over a decade, indicating the need for comprehensive review and updates to align with contemporary challenges.²¹ There also remains a lack of awareness about the economic implications of IPR violations, contributing to the prevalence of counterfeit products and infringement lawsuits.²² Furthermore, Trademark and copyright infringement cases outnumber patent cases, partly due to the lower number of registered patents and the fact that patents are registered without examination.²³

Derived from information gathered through consultation sessions involving government representatives, ecosystem stakeholders, and entrepreneurs in Lebanon, deficiencies within Lebanon's IPR systems can be categorized into three tiers. Initially, there are gaps pertaining to the legislative framework encompassing policies and regulations. Subsequently, there exist gaps concerning the execution of strategies. Lastly, gaps are identified in relation to the behaviors and practices exhibited by entrepreneurs themselves.

Challenges linked to legislative and regulatory premises

IPR legal framework in Lebanon remains outdated despite contemporary needs for reforms

Lebanon's IPR regulatory landscape is hampered by an outdated legal framework, exemplified by the presence of four draft laws pending approval in the Lebanese Parliament since 2007. This extended period of stagnation underscores the pressing need for comprehensive reform and modernization of IPR policies and regulations. The lack of timely updates to reflect technological advancements, changing market dynamics, and international best practices impedes the effective protection and enforcement of IPR. The delay in passing these draft laws hinders the alignment of Lebanon's IPR legal framework with contemporary challenges, ultimately affecting the ability of entrepreneurs and innovators to navigate a rapidly evolving business landscape.

21 *ibid*

22 ESCWA (2019), Intellectual Property for Fostering Innovation in the Arab Region, [URL](#)

23 *ibid*

IPR law enforcement lacks proper planning and coordination among various stakeholders

The prevalence of counterfeit products and the proliferation of infringement lawsuits underscore the extensive challenges in enforcing IPR in Lebanon. Inadequate enforcement mechanisms weaken the deterrent effect and undermine the interests of creators and innovators. These enforcement gaps lead to an environment where IPR violations go unchecked, stifling innovation, investment, and economic growth. Addressing this challenge necessitates the development of robust enforcement strategies that involve coordinated efforts between law enforcement agencies, the judiciary, and IPR stakeholders. Strengthening enforcement mechanisms will be crucial in ensuring the protection of IPR and fostering a conducive environment for innovation and entrepreneurship.

Patent Protection is found to be the least accessible among other forms of IPR

A notable imbalance exists in the use and accessibility of different types of IPR Protection in Lebanon, with patent protection lagging other forms of IPR. The comparatively low number of registered patents points to a need for greater emphasis on promoting patent protection among startups and innovators. Patents play a pivotal role in safeguarding technological advancements, incentivizing research and development, and attracting investments.

Challenges linked to executional premises

Political and economic Instability aggravate inefficiencies in IPR systems

The persistent political and economic turmoil facing Lebanon has further compounded the challenges associated with enforcing IPR. The precarious socio-political landscape has resulted in a lack of government support for IPR initiatives, as priorities shift to address broader economic and social concerns. Additionally, the imposition of sanctions and strained international collaborations hinder support from organizations like the World Intellectual Property Organization (WIPO), hampering Lebanon's ability to access resources and expertise crucial for enhancing IPR frameworks. Overcoming this challenge requires stabilization of the political and economic environment, as well as strategic engagement with international partners to foster collaboration and capacity-building in IPR protection.

General lack of resources in the public sector spill over into IPR offices

Lebanon's public sector, encompassing entities such as the Ministry of Economy and the Intellectual Property (IP) office, grapples with significant deficiencies in financial and human resources. This dearth of essential resources manifests in the form of outdated systems, limited personnel, and insufficient funding, collectively undermining the efficiency of IPR registration and enforcement processes. Outdated technology impedes the modernization of procedures, leading to cumbersome administrative processes that discourage entrepreneurs from seeking IPR Protection. Addressing this challenge necessitates dedicated efforts to allocate adequate resources, streamline administrative processes, and invest in modernizing the infrastructure supporting IPR management.

IPR law enforcement result in increased cases of infringement

In spite of the high number of infringing products entering the Lebanese market, the number of actual lawsuits to combat infringing activities is not proportionally adequate to the high volume of infringement. Most infringement cases target trademarks (whether against illegally registered trademarks or against counterfeiting products). Patent and industrial design infringements are rarely taken to court, and Copyright falls also behind trademarks. Insufficient enforcement mechanisms contribute to the persistence of IPR violations, undermining the interests of businesses and hindering innovation. Effective enforcement is imperative to deter potential violators and protect the rights of creators and innovators. Enhancing enforcement requires collaborative efforts between law enforcement agencies, the judiciary, and relevant stakeholders, coupled with capacity-building initiatives and robust legal frameworks.

The need for specialized courts handling IP cases remains a target to be achieved. Where judges are well trained to handle IP cases, and are constantly being trained to accompany the fast-paced changes in the IP case law worldwide, especially with the emergence of AI-created art work and tools.

Outdated IT infrastructure limits entrepreneurs' accessibility, information sharing and registration processes

The insufficient IT infrastructure within Lebanon's Ministry of Economy has far-reaching implications for IPR management. Outdated servers and software hamper the efficiency of the online registration process and limit the accessibility of information for entrepreneurs. Entrepreneurs face obstacles in navigating cumbersome digital interfaces, resulting in potential delays and discouragement from seeking IPR protection. Revamping the IT infrastructure to support a user-friendly online registration system and efficient data management is pivotal in improving the accessibility and effectiveness of IPR-related services.

Challenges linked to entrepreneurs' practice

General lack of awareness amongst entrepreneurs on IPR hinders their access to many benefits and multiple growth opportunities

One of the primary challenges surrounding IPR in Lebanon is the lack of awareness among entrepreneurs regarding the importance of protecting their innovations and creative works. Many entrepreneurs are unaware of the potential benefits that IPR can offer, such as safeguarding their competitive advantage, enhancing market position, and attracting investments. This lack of awareness can be attributed to inadequate education and outreach efforts that emphasize the significance of IPR in the business landscape. Addressing this challenge requires comprehensive capacity-building programs and awareness-raising initiatives. These efforts should focus on educating entrepreneurs about the various types of IPR registrations, their benefits, and the potential risks of neglecting IPR protection.

Entrepreneurs are also faced with limited ability to access proper guidance on IPR registration processes and strategies. Entrepreneurs often lack a comprehensive understanding of the different forms of protection available, leading them to focus primarily on trademarks while neglecting other valuable forms of IPR, such as patents for technological innovations or unique processes. To overcome this challenge, there is a need for accessible and user-friendly resources that educate entrepreneurs about the full spectrum of IPR options. Government agencies, industry associations, and legal experts can play a pivotal role in providing clear and accurate information to help entrepreneurs make informed decisions regarding their IPR strategies.

Entrepreneurs face financial barriers when it comes to IPR Protection in Lebanon

Entrepreneurs in Lebanon often face financial constraints limiting their ability to allocate funds for IPR registration. Costs of registration in Lebanon are still very low in comparison to other expenditures that businesses pay. On average, the protection of IPRs in Lebanon does not reach 15% of the cost of annual marketing and advertising. The financial strain of IPR registration can be particularly burdensome for startups and small businesses with limited resources. Also, the real cost of protection is when Lebanese entrepreneurs wish to register and protect their IPRs abroad, as the costs would vary depending on each country. To address this challenge, it is crucial to explore avenues for reducing the financial barriers associated with IPR registration. This could involve providing financial incentives, subsidies, or support programs specifically tailored to assist entrepreneurs in covering the costs of IPR protection.

Issues with Registration:

The registration process itself presents significant challenges for entrepreneurs in Lebanon. Unclear procedures, lack of readily available resources, and outdated registration systems contribute to a cumbersome and inefficient experience. Entrepreneurs often struggle to navigate these complexities, leading to delays and potential errors in the application process. Addressing these issues without professional assistance requires modernizing and streamlining the IPR registration systems, implementing user-friendly online platforms, and providing comprehensive guidelines that simplify the process. By enhancing the efficiency and accessibility of registration procedures, Lebanon can encourage greater IPR compliance and participation among entrepreneurs.

The overall challenges related to entrepreneurs' experience with IPR in Lebanon are multifaceted and require a coordinated effort from various stakeholders, including government agencies, industry associations, educational institutions, and legal experts. By addressing the lack of awareness, financial constraints, inadequate guidance, and issues with registration processes, Lebanon can create an environment that fosters innovation, protects intellectual property, and promotes sustainable economic growth.

Recommendations on IPR Reforms in Lebanon

In order to fortify the Intellectual Property Rights (IPR) ecosystem in Lebanon and unlock its potential for innovation and economic growth, a series of targeted recommendations are proposed at each of the legislative, executional and entrepreneurial levels. These recommendations aim to address the identified gaps and capitalize on the opportunities for strengthening IPR protection, awareness, and accessibility.

Recommendations linked to legislative and regulatory premises

Collaborate with WIPO

The World Intellectual Property Organization (WIPO) is a specialized agency of the United Nations that deals with intellectual property matters on a global scale. Collaborating with WIPO would involve forming a strategic partnership to tap into their vast expertise, best practices, and capacity-building programs in the field of IPR. This partnership would bring several benefits, including access to the latest developments in IPR, training opportunities for policymakers and officials, and assistance in aligning Lebanon's IPR policies with international standards. This collaboration can result in better-informed decision-making and the effective implementation of policies that promote innovation, creativity, and economic growth.

Revamp IPR Policy Framework

The Legislative branch should re-activate the revision of IP laws and to draft and pass the laws that are required. Some of the laws are almost 100-year old, while the newest is 23-year old, without proper revisions and amendments. Even the draft law on trademarks and Geographical indications that was sent to the parliament back in 2007, has become obsolete in some of its provisions, and needs to be updated. A revamped IPR policy framework provides clearer guidelines for individuals and businesses to protect their intellectual property rights, which in turn creates an environment that encourages innovation and entrepreneurship.

Simplify IPR Regulations

The complexity of IPR regulations can be a barrier for entrepreneurs seeking to protect their intellectual property. Simplifying and consolidating existing IPR laws makes the regulatory landscape more comprehensible and user-friendly. By doing so, entrepreneurs will have a better understanding of the registration processes, including patents, trademarks, copyrights, and other forms of intellectual property. This simplification promotes greater compliance with IPR regulations, as entrepreneurs will be more likely to follow the rules when they are straightforward and accessible.

Implement protected designation of origin and Geographical Indications PDO and (GI) Law

The protected designation of origin (PDO) is a type of geographical indication of the European Union and the United Kingdom aimed at preserving the designations of origin of food-related products. The designation was created in 1992 and its main purpose is to designate products

that have been produced, processed and developed in a specific geographical area, using the recognized know-how of local producers and ingredients from the region concerned.

Geographical indications refer to products that have specific qualities, characteristics, or reputation linked to their geographic origin. Implementing a law on geographical indications in Lebanon would protect unique Lebanese products that have distinct qualities tied to their geographic region, such as agricultural or artisanal goods. This protection enhances the value and marketability of these products, as they gain recognition for their authenticity and cultural significance. It also opens economic opportunities for entrepreneurs by promoting these products in both domestic and international markets, a trend towards economic growth.

Recommendations linked to executional premises

Enhance IP Infrastructure

Investing in the digitalization and modernization of the Intellectual Property Protection Office (IPPO) is crucial for streamlining the process of registering and protecting intellectual property. By improving online registration services, entrepreneurs from all regions of Lebanon can access the necessary resources and information to protect their intellectual property rights more conveniently. This step reduces geographical barriers and administrative hurdles, making IPR protection more accessible and efficient.

Create a Central IPR Hub

Establishing an independent office or hub that serves as a central resource for IPR information and consultations simplifies the process for entrepreneurs and legal experts. This central hub can act as a one-stop shop for comprehensive information about various types of intellectual property, the registration process, legal requirements, and more. Entrepreneurs can receive accurate guidance and expert consultations, promoting a seamless and informed IPR journey. This approach reduces confusion and increases the likelihood of successful IPR protection.

Establish Dedicated IP Support Centers

Creating dedicated IP support centers can happen in collaboration with existing Business Support Organizations (BSOs) provides entrepreneurs with a direct resource for expert advice, guidance, and resources related to IPR. These centers can become invaluable hubs where entrepreneurs can receive personalized assistance tailored to their specific needs. These centers can help entrepreneurs overcome challenges, answer questions about IPR processes, and provide information about best practices, thereby increasing the likelihood of successful IPR protection.

Foster Collaboration and Information Sharing

Collaboration among public authorities and Business Support Organizations (BSOs) is essential for ensuring a coordinated and consistent approach to IPR support for entrepreneurs. By sharing information, resources, and best practices related to IPR, BSOs and public authorities can ensure that entrepreneurs receive accurate and up-to-date guidance throughout the IPR registration process. This collaborative approach also avoids duplication of efforts and maximizes the impact of IPR support initiatives.

Recommendations linked to entrepreneurs

Develop an IPR Communication Strategy and Plan

This recommendation emphasizes the importance of raising awareness among entrepreneurs about the benefits of IPR protection, and communicating laws, regulations and procedures associated with IPR. Initiating targeted awareness campaigns through workshops, webinars, and outreach programs helps educate individuals about the economic advantages of safeguarding their intellectual property. By understanding the value of IPR, entrepreneurs are more likely to invest in protecting their creations, inventions, and innovations. Additionally, educating entrepreneurs about the consequences of IPR infringement can deter unauthorized use of intellectual property and promote a culture of respect for creativity and innovation.

Strengthen Entrepreneurial Capacity

Developing specialized training programs and workshops is essential for equipping entrepreneurs with the necessary knowledge and skills to navigate the complex IPR registration processes effectively. Intellectual Property Rights (IPR) literacy is crucial, as it enables entrepreneurs to understand the different types of intellectual property, their benefits, and the steps required for protection. By empowering entrepreneurs with this knowledge, they are more likely to proactively seek and secure protection for their innovations, which contributes to fostering a culture of innovation and creativity.

Hire professional IP law firms / practitioners:

IP law is a specialized section of the law that requires legal and sometimes technical skills. General law practitioners might not always be abreast of the procedures, regulations and practices of IP, hence, not always able to provide the adequate guidance and consultancy when it comes to strengthening IPRs and to put an adequate strategy for IP protection in various jurisdictions. That is why, resorting to IP practitioners who have a multi-national experience is always recommended.

Tunisia's Strife to Leverage its Strong IPR Legal Framework

General overview of the IPR landscape in Tunis

Tunisia has made commendable strides in recognizing and safeguarding various forms of Intellectual Property Rights (IPRs), yet challenges persist in enforcement, awareness, and registration. A comprehensive overview reveals the country's commitment to enhancing IPR protection as a catalyst for innovation and economic growth. To this end, Tunisia's experience reflects both best practices and areas for improvement.

Tunisia's commitment to IPR protection is evident through its strengthened legal framework. The country has taken significant steps to align its IPR laws with international standards, exemplifying best practices. By extending equal treatment to both foreign and local registrants, Tunisia has fostered an environment of inclusivity and fairness. The simplicity and affordability of patent, trademark, and copyright registration processes further contribute to accessibility and IPR compliance. The establishment of a specialized IP court in 2014 stands out as a noteworthy achievement, expediting legal enforcement and yielding successful outcomes against trademark infringement and counterfeit goods.²⁴

Awareness campaigns have played a pivotal role in recognizing the significance of IPRs for Micro, Small, and Medium-sized Enterprises (MSMEs) and entrepreneurs. While these efforts have heightened awareness about IPR's role in economic growth and innovation.²⁵

Furthermore, Tunisia's commitment to curbing digital piracy through international collaboration and tailored measures underscores the country's proactive stance in protecting IPR in the digital age.²⁶

International Agreements and Domestic Reforms

Tunisia's alignment with international agreements and domestic policy reforms has fortified its IPR protection regime. The 2016 agreement with the European Union (EU), facilitating automatic patent protection for European patent applications, reflects Tunisia's commitment to harmonizing its practices with global standards.²⁷ The revision of industrial property legislation in line with the EU Association Agreement and the TRIPS Agreement also showcases Tunisia's dedication to compliance and integration.²⁸ The EU-Tunisia Free Trade Agreement (FTA) has positively impacted trade flows,

24 IP Country Fiche - Tunisia EN, European Commission, [URL](#)

25 *ibid*

26 *ibid*

27 ESCWA (2019), Intellectual Property for Fostering Innovation in the Arab Region, [URL](#)

28 *ibid*

particularly in high-tech sectors, due to the strengthened protection of intellectual property rights (IPRs). This has led to increased imports of high-tech goods, including optical, medical, electrical, and pharmaceutical products, contributing to Tunisia's economic growth and competitiveness.²⁹

Tunisia's resolute enforcement measures, characterized by stringent sanctions and border controls, further strengthen IPR protection. These measures underscore the country's determination to prevent violations and counterfeiting, ultimately contributing to a secure business environment.

Major challenges related to IPR in Tunis

While Tunisia exhibits good practices related to its IPR laws and abiding by international standards and agreements, main challenges and gaps related to IPR in Tunisia are centered around law enforcement. There also remains a gap between awareness and utilization among groups. Tunisia's facilitation of the franchise market, enabling smoother operations for foreign franchises, has contributed to MSME development and economic advancement.³⁰

Based on insights acquired from consultation sessions that engaged public officials, ecosystem participants, and entrepreneurs in Tunis, it is evident that the shortcomings within Tunisia's IPR systems can be classified into two distinct levels. The first level relates to gaps in IPR execution. The second level focuses on gaps stemming from the behaviors and practices demonstrated by entrepreneurs

Challenges linked to executional premises

Fragmented government entities hinder IPR enforcement and registration

In Tunisia, various government entities may be involved in matters related to patents, intellectual property rights, and ownership rights. However, if these entities lack coordination and collaboration, it can lead to fragmented processes and inconsistent guidance for entrepreneurs and innovators. The lack of harmonization in processes and resource sharing can result in confusion, delays, and inefficiencies. A more streamlined and collaborative approach among these government entities is essential to provide entrepreneurs with coherent and accurate information, reduce bureaucratic hurdles, and facilitate the patenting and protection of intellectual property...

29 ABIDI B. and MRAD F. (2021), Intellectual Property Rights Protection and Technology Imports: The Tunisia-European Union Free Trade Agreement, Turkish Journal of Computer and Mathematics Education, [URL](#)

30 IP Country Fiche - Tunisia EN, European Commission, [URL](#)

Lack of centralized database for IPR registration renders IPR processes complex

The absence of a centralized database for IPR registration in Tunisia can create challenges for entrepreneurs seeking comprehensive information and support for registering their intellectual property. Entrepreneurs may struggle to access accurate information about existing patents, trademarks, and copyrights. This lack of information can lead to uncertainty about the uniqueness of their innovations and potential conflicts with existing intellectual property. A centralized database would serve as a valuable resource where entrepreneurs can easily search for existing patents, learn about the registration process, and access relevant forms and guidelines. This would streamline the IPR registration process and promote transparency.

Challenges linked to entrepreneurs' practice

There is a general lack of trust in Local Registration Authorities

The lack of trust in local registration authorities can undermine confidence in the effectiveness of patent protection and enforcement. Entrepreneurs, inventors, and innovators may hesitate to invest time and resources into patenting their creations if they doubt the reliability and competence of local registration authorities. This lack of trust can discourage individuals from seeking proper protection for their intellectual property, ultimately leading to missed opportunities for innovation-driven economic growth. Building trust in local registration authorities requires transparent processes, consistent and accurate information dissemination, and demonstrating successful cases of effective patent protection and enforcement.

Generally, there is a limited understanding of IPR

Entrepreneurs, students and researchers in Tunisia might have a limited understanding of patents, inventions, and intellectual property as a whole. This lack of knowledge can hinder their ability to recognize the value and potential monetary opportunities that intellectual property can offer. They might not realize that their innovative ideas and inventions can be protected and monetized through patents, trademarks, or other forms of intellectual property. A lack of understanding can lead to missed opportunities for individuals to capitalize on their creative work and innovations.

Cultural perceptions tend to undervalue IPR

In some cultural contexts, especially in developing countries, there might be an undervaluation of intangible assets such as intellectual property. Tangible assets like physical property or commodities may be more highly regarded, while intangible assets, including patents, trademarks, copyrights, and trade secrets, might not be considered as valuable assets. This cultural perception can limit the adoption and protection of intellectual property rights. Entrepreneurs might not prioritize or see the need to protect their intellectual property, which can hinder innovation and entrepreneurship as well as potential collaboration with businesses and investors.

Lack of Interactions between Researchers and Industrialists

The absence of interactions and trust between researchers and industrialists can hinder collaboration and co-development of projects that could benefit both parties. In many cases, researchers may not have clear insights into the practical needs and challenges faced by industries, while industrialists may not be fully aware of the research advancements and innovations in academia. This lack of communication can result in missed opportunities for jointly developing innovations that are both technologically sound and commercially viable. Encouraging interactions between researchers and industrialists through partnerships, joint projects, and technology transfer initiatives can bridge this gap and foster an ecosystem of innovation and entrepreneurship.

Inadequate Invention Protection Procedures in Research Centers

Many research centers might lack standardized procedures for protecting and registering inventions. Without clear guidelines and processes in place, researchers and innovators may face challenges in understanding how to secure patents for their innovations. The absence of proper protection procedures can result in missed opportunities for patenting and commercialization. Standardized invention protection procedures are crucial as they provide researchers with a clear path to follow when seeking to protect their intellectual property. These procedures can help researchers understand the steps involved in patenting and ensure that their innovations are adequately protected for potential commercialization.

Entrepreneurs, local universities, researchers, and professors may face financial constraints when attempting to register patents internationally

The cost associated with international patent applications, including filing fees and legal expenses, can be substantial. These financial challenges can limit the ability of individuals and institutions to protect their inventions on a global scale. As a result, valuable innovations may remain unprotected in international markets, reducing the potential for these innovations to be commercialized and contribute to economic growth. Addressing this gap requires exploring mechanisms to provide financial support, grants, or incentives to facilitate international patenting for local inventors and researchers.

Furthermore, university career development in Tunisia may not prioritize or emphasize the importance of patents and intellectual property rights. As a result, students and researchers might be inclined to focus on publishing research papers rather than considering patent registration. This preference for publications over patents can lead to missed opportunities for entrepreneurs and researchers to commercialize their lab findings or inventions. Without proper awareness and guidance on the benefits of IPR, individuals may not fully understand how protecting their intellectual property can lead to potential revenue streams, business opportunities, and innovation-driven economic growth.

Recommendations on IPR reforms in Tunis

As Tunis navigates the dynamic landscape of the knowledge economy, fortifying its Intellectual Property Rights (IPR) ecosystem becomes imperative to foster innovation, protect creative endeavors, and enhance its global competitiveness. Building upon a foundation of existing efforts and recognizing the potential for growth, a set of strategic recommendations is proposed to address the current gaps and harness opportunities within the realm of IPR. These recommendations are designed to empower both public authorities and business support organizations to collaboratively shape an environment where IPR is not only comprehensively protected but also actively promoted. By leveraging these recommendations, Tunis can cultivate a thriving ecosystem that nurtures creativity, encourages entrepreneurship, and drives sustainable economic development.

Recommendations linked to legislative and regulatory premises

Strengthened Legal Framework

Continuous policy reforms aimed at improving the IPR regulatory framework are crucial for providing clear guidelines for protection and enforcement. These reforms should take into account international best practices and address the gaps in trust, coordination, and fragmentation of government entities. A strengthened legal framework enhances the confidence of entrepreneurs in the IPR system and ensures that intellectual property is effectively protected and enforced.

Simplify IPR Procedures

Simplifying and expediting IPR registration procedures is essential to reduce bureaucratic hurdles for entrepreneurs. By adopting digital platforms for registration and providing clear and straightforward guidelines, public authorities can address the gap in limited understanding of IPR and financial constraints. Simplified procedures make it easier for entrepreneurs to navigate the registration process, ensuring that innovations are protected in a timely manner.

Recommendations linked to executional premises

Enable Public-Private Partnerships

Establishing partnerships between public institutions, private entities, and research centers is crucial for creating sustainable programs that offer Intellectual Property Rights (IPR) consultation and legal services to entrepreneurs. By bringing together the expertise of both the public and private sectors, entrepreneurs can access comprehensive support that addresses their unique needs. These partnerships can provide entrepreneurs with guidance on patenting procedures, legal advice on IPR protection, and assistance in navigating the complexities of intellectual property. Collaborative efforts can fill the gap in trust and expertise, fostering an environment where IPR is valued and protected.

Work towards data centralization

Creating a centralized database that compiles information and resources related to IPR registration is essential for simplifying the process for entrepreneurs. This platform should offer easy access to guidelines, forms, case studies, and relevant contact information. A centralized database would address the gap in lack of access to comprehensive information and enable entrepreneurs to make informed decisions about protecting their intellectual property. It would streamline the process and reduce uncertainty, leading to increased IPR registration and protection.

Encourage international cooperation

Collaborating with international organizations and right holders can significantly enhance Tunisia's capacity for controlling digital piracy, addressing IPR-related issues, and sharing best practices. This approach acknowledges the gap in lack of interactions between researchers and industrialists. International cooperation can provide valuable insights, resources, and expertise in tackling challenges related to IPR enforcement, piracy, and innovation-driven economic growth.

Recommendations linked to entrepreneurs

Integrate IPR Awareness in Education

Integrating IPR awareness and education into university curriculums and entrepreneurship programs addresses the gaps related to lack of awareness and cultural perceptions. By introducing students and future entrepreneurs to the concepts of intellectual property, patents, and innovation protection early in their educational journey, a culture of valuing and protecting intellectual property can be cultivated. This can also bridge the gap between researchers and industrialists by fostering collaboration from an early stage.

Offer Tailored Training Programs

This could happen in collaboration with BSOs, developing training programs that are customized to the unique needs of entrepreneurs from different industries and sectors. These training programs should go beyond general concepts and provide practical, industry-specific guidance on intellectual property registration and protection. By tailoring the training, entrepreneurs can gain insights into how IPR applies to their specific products, services, or innovations, making the process more relevant and actionable.

Provide Financial Support and Incentives

Collaboration between BSOs, financial institutions, and government agencies can result in financial support and incentives for entrepreneurs seeking IPR protection. These incentives could include reduced registration fees for patents, trademarks, or copyrights. Grants or funding programs dedicated to intellectual property-related activities can alleviate the financial burden on entrepreneurs and encourage them to invest in protecting their innovations.

Online Information Hub

Establishing a comprehensive online platform as an information hub is crucial for providing entrepreneurs with easily accessible resources and step-by-step guidance on the IPR registration process. This platform should be user-friendly and offer clear explanations of different types of intellectual property, the registration procedure, required documents, and timelines. A well-designed online hub can address the gap in limited understanding of IPR and simplify the process for entrepreneurs.

Partner with BSOs for Awareness Campaigns and Support

BSOs can initiate awareness campaigns targeted at students, researchers, and entrepreneurs to increase their understanding of the importance of IPR protection. These campaigns can include workshops, seminars, webinars, and informational materials that highlight the benefits of safeguarding intellectual property and the potential for economic growth through innovation.

Resource Sharing and Collaboration

BSOs and other ecosystem players can facilitate collaboration and information sharing between various government entities involved in IPR protection. By creating a platform for dialogue and cooperation, BSOs can help streamline processes, reduce fragmentation, and enhance the effectiveness of IPR protection measures. Collaboration among different entities can address the gap in fragmented government entities and ensure entrepreneurs receive consistent and accurate guidance.

Way Forward to Enhance the IPR Landscape at the Regional Level

The pursuit of effective intellectual property rights (IPR) protection in the region encompasses Egypt, as well as its neighboring countries. A shared commitment to innovation and economic growth drives the need for a harmonized approach to address common challenges and bridge gaps within the IPR landscape. This section of the report presents actionable recommendations to strengthen IPR protection, foster innovation, and drive economic advancement across the region.

Commonalities Across the Region: IPR Challenges and How to Overcome them

Harmonizing Policies and Raising Awareness

Challenges: Policy fragmentation hinders effective IPR protection and alignment; inadequate awareness about IPR laws restricts entrepreneurs' accessibility.

To streamline IPR frameworks regionally, it is recommended to:

- **Establish Centralized Coordination Bodies:** Create authorities responsible for harmonizing IP-related regulations, fostering collaboration among ministries and stakeholders across countries.
- **Harmonize and Simplify Policies:** Conduct comprehensive reviews of existing IPR policies to identify overlaps and contradictions. Develop unified strategies that simplify policies, enhancing clarity for entrepreneurs region wide.
- **Enhance Accessibility of IPR Laws:** Develop user-friendly online platforms offering clear information about IPR laws, regulations, and procedures, tailored to different sectors in each country.
- **Promote IP Education:** Collaborate with educational institutions and industry associations to integrate IP education into curricula and training programs, empowering entrepreneurs with consistent IPR knowledge.

Strengthening Implementation and Collaboration

Challenges: Inadequate implementation of strategies hinders improvements; fragmented IPR offices lead to inefficiencies and data fragmentation; shortage of staff capacities causes delays.

To enhance implementation and collaboration within IPR offices regionally:

- **Ensure Adequate Resources:** Allocate sufficient resources to implement strategic IPR plans, including financial investments, skilled personnel, and technological infrastructure, while considering the specific needs of each country.
- **Create Clear Implementation Roadmaps:** Develop detailed roadmaps for each initiative, defining milestones, stakeholders, and timelines. Regularly review progress to ensure consistent implementation.
- **Capacity Building:** Invest in training programs for IPR office staff to improve their capabilities, enhance efficiency, and ensure accurate processing of applications across countries.
- **Embrace Digitalization:** Equip IPR offices with modern technology to streamline processes, reduce paperwork, and enhance efficiency. Establish unified online application platforms compatible with each country's legal requirements.

Empowering Entrepreneurs and Building Trust

Challenges: Entrepreneurs' limited understanding of IPR protection hinders access; distrust in the IP system undermines engagement; financial barriers inhibit IPR protection.

To empower entrepreneurs and build trust in the IPR system regionally:

- **Comprehensive IP Education:** Develop tailored educational programs that emphasize the value of various IPR protection mechanisms. Offer practical examples to help entrepreneurs make informed decisions across countries.
- **Build Trust through Transparency:** Establish transparent processes within the IP registration system, showcasing successful case studies to instill confidence in the system's effectiveness.
- **Financial Support:** Introduce region-specific government-backed subsidies, grants, or incentives to alleviate the financial burden of IPR protection for startups and small businesses.
- **Engage Entrepreneurial Communities:** Collaborate with makerspaces and innovation hubs to promote IPR awareness, fostering a balanced approach to protection and innovation.

Leveraging Business Support Organizations (BSOs)

To maximize the impact of Business Support Organizations (BSOs) regionally:

- **Provide Specialized IPR Support:** BSOs should offer dedicated IPR support services tailored to startups, guiding them through the IP registration process in each country.
- **Develop Customized Training Programs:** Design training programs that address startup-specific challenges, enhancing their understanding of IPR laws and procedures across the region.
- **Coordinate Resources and Information:** Collaborate with stakeholders to create a unified platform offering startups easy access to IPR information and resources.
- **Promote Open Innovation and Collaboration:** Encourage open innovation while educating entrepreneurs on the benefits of formal IPR protection, promoting balanced practices across countries.
- **Facilitate Access to Funding:** Assist startups in accessing funding sources for IPR protection, connecting them with relevant investors and organizations.
- **Advocate for IPR Policy Reforms:** Engage with public authorities to advocate for policy reforms that simplify the IP registration process.
- **Organize Capacity-Building Workshops:** Host workshops covering various IPR topics, empowering entrepreneurs with practical knowledge for effective IPR protection and management.

Cross-Region Collaboration for IPR Enhancement: A Path Forward

In the Arab region, concerted efforts are underway to cultivate innovation and entrepreneurship, with countries like Egypt, Jordan, Lebanon, and the United Arab Emirates leading the way. International organizations, including the World Intellectual Property Organization (WIPO) and the League of Arab States (LAS), are actively collaborating to establish balanced and accessible IP systems at the international and regional levels. Through the establishment of accelerators, incubators, and innovation hubs, Arab countries are nurturing a thriving ecosystem that fosters innovation and value creation. These initiatives offer support, investment, networking opportunities, co-working spaces, workshops, and legal guidance on IP matters to promising individuals and start-ups, contributing to a robust innovation landscape.³¹

31 ESCWA (2019), Intellectual Property for Fostering Innovation in the Arab Region

Generic Best Practices

The League of Arab States (LAS) demonstrated its commitment to enhancing IPR protection by establishing an IP and Competitiveness Department within the Economic Affairs Sector in collaboration with WIPO. This department plays an active role in harmonizing legislation, raising awareness about IP, and improving enforcement mechanisms across the region. Additionally, the Higher Institute for Applied Sciences and Technology in the Syrian Arab Republic has implemented an effective IP strategy to protect its intellectual property rights, encouraging innovation and rewarding institute members for their contributions while emphasizing the importance of patent rights preservation through non-disclosure before registration.³²

Generic Challenges

A gender disparity persists in patent applications across Arab countries. Fluctuations in the share of women in patent applications have been observed in countries such as Egypt, Tunisia, Morocco, Qatar, Saudi Arabia, and the United Arab Emirates. While Qatar and Morocco exceeded the global average in terms of the percentage of applications listing women as inventors, overall participation remains below the desired threshold. Challenges to women's involvement in the patent system in STEM fields are multifaceted, including social barriers and limited data availability to understand the underlying issues comprehensively.³³

Institutional-level Challenges

The expansion of patenting within academia requires more than institutional ownership of intellectual property. While stronger intellectual property legislation may contribute to increased patenting, incentives at both institutional and individual researcher levels are necessary to encourage disclosure, protection, and utilization of inventions. Multi-ministry involvement in IP management and enforcement has led to challenges stemming from a shortage of skilled personnel and institutional capacity, akin to the hurdles faced by the judiciary.³⁴

32 *ibid*

33 *ibid*

34 *ibid*

Entrepreneurial Ecosystem-level Challenges

Startups in the region encounter common IP challenges, including misappropriation or infringement of another party's IP. This underscores the importance of IP education and legal support for entrepreneurs. As the entrepreneurial ecosystem grows, collaboration between governments, educational institutions, and industry players is crucial to addressing these challenges and building a more robust innovation environment.³⁵

Recommendations for Cross-Region Collaboration

To address these challenges and enhance the Arab region's intellectual property landscape collaboratively, a multifaceted approach can be adopted. By establishing collaborative mechanisms and initiatives, the region can pool resources, share best practices, and align efforts to create a harmonized and effective IPR landscape. Here are key proposals for cross-region collaboration:

Regional IPR Council:

Establish a Regional IPR Council composed of representatives from each participating country. This council would serve as a platform for high-level discussions, policy coordination, and the exchange of experiences and expertise. Regular meetings could focus on aligning legislative frameworks, addressing common challenges, and driving policy reforms that benefit all participating countries.

Cross-Region IPR Task Forces

Form specialized task forces with representatives from different countries to address specific IPR challenges. These task forces could focus on topics such as harmonizing policies, promoting IP education, and implementing digitalization strategies. Through joint efforts, task forces can develop actionable recommendations tailored to each country's needs.

Shared Capacity Building Programs

Collaborate to design and implement capacity-building programs that target IPR office staff, legal professionals, and entrepreneurs across the region. These programs could involve workshops, seminars, and training sessions that promote a deep understanding of IPR laws, best practices, and enforcement techniques. By sharing resources and expertise, participating countries can collectively enhance their IPR knowledge and implementation.

35 Faster Capital (2023), What are some common intellectual property issues faced by startups, [URL](#)

Regional IPR Portal

Develop a centralized online platform that serves as a hub for IPR-related information, resources, and tools. This portal could provide access to legislation databases, registration guidelines, case studies, and training materials. A user-friendly interface would cater to entrepreneurs, legal experts, and innovators across the region, fostering a culture of knowledge-sharing and collaboration.

Joint Awareness Campaigns

Launch joint awareness campaigns across participating countries to emphasize the importance of IPR protection and educate entrepreneurs about its benefits. Utilize various communication channels, including social media, webinars, and industry events, to reach a wide audience and promote a unified message that resonates with innovators in the region.

Harmonized IP Training

Develop harmonized IP training modules that cater to the specific needs of entrepreneurs, legal professionals, and IPR office staff in each country. These modules could cover fundamental concepts, registration procedures, and enforcement mechanisms, ensuring a consistent understanding of IPR across borders.

Collaborative Research Initiatives

Encourage collaborative research initiatives that explore the impact of IPR protection on innovation, economic growth, and technology transfer within the region. By sharing research findings and insights, participating countries can make informed decisions that drive IPR reforms and strengthen their collective IPR landscape.

Cross-Border IPR Enforcement Cooperation

Facilitate cross-border cooperation among law enforcement agencies to combat IPR infringement and piracy. Sharing intelligence, best practices, and successful case studies can contribute to more effective enforcement measures and discourage illegal activities that undermine IPR protection.

Annual Regional IPR Summit

Organize an annual Regional IPR Summit that brings together stakeholders from participating countries. This summit could serve as a platform for knowledge exchange, policy updates, and the sharing of success stories. Workshops, panel discussions, and networking opportunities would foster collaboration and strengthen relationships.

Joint Funding Initiatives

Explore opportunities for joint funding initiatives that support startups, entrepreneurs, and innovators seeking IPR protection. Establishing a regional fund could alleviate financial barriers and incentivize individuals and businesses to invest in IPR, contributing to a robust innovation ecosystem.

In summary, cross-region collaboration holds the potential to accelerate IPR enhancement, foster innovation, and promote economic development across neighboring countries. By aligning efforts, sharing resources, and jointly addressing challenges, participating countries can create a unified IPR landscape that benefits entrepreneurs, businesses, and the overall regional economy. Through sustained collaboration, the region can position itself as a hub for innovation and intellectual property excellence.

ANNEX: METHODOLOGY OF THE STUDY

Objectives of the study

This qualitative study is part of the INVESTMED project, an EU-funded ENI CBC Med project that aims to support the development of new, sustainable entrepreneurship and business initiatives in the blue, green, and creative sectors for young people and women in Tunisia, Egypt, and Lebanon. As part of the INVESTMED project, Beyond Group has been leading the IPR working package, which consisted of an on-developed IPR Guidebook ([add hyperlink and explanation of guidebook](#)). The study's purpose is to inform public authorities and ecosystem actors on the most recent situation of IPR processes in each of the three countries, including major gaps in policies and systems, and to help shape their way forward in positively contributing to IPR at the national and regional level by providing recommendations that are tailored to the current reality. The main objectives of the study are thus to:

Trace a comprehensive contextual overview of IPR for each of the three countries:

This helps put into perspective the findings of the study by providing an overview of the main factors affecting IPR at the national level in terms of legislative framework, institutional practices, and programmatic interventions for entrepreneurs.

Identify main gaps related to IPR in each of the three countries: These gaps are identified at three different levels. Firstly, at the level of policies and regulations governing the IPR landscape; secondly, at the level of institutions and infrastructure available for IPR registration; and thirdly, at the level of entrepreneurs themselves, such as their level of knowledge and awareness of IPR, their capacities, and financial priorities.

Develop recommendations that address the main identified gaps: This entails the formulation of well-informed recommendations tailored to public authorities and business support organizations. These recommendations span across policy-level reforms, institutional enhancements, and programmatic initiatives.

Derive regional insights related to the best way forward: Based on the country-specific findings, this study derives region-level recommendations on potential opportunities for more effective and efficient IPR processes.

Methods used

The study is based on 9 consultation sessions with entrepreneurs, public authorities and business support organizations in Egypt, Lebanon, and Tunisia. The primary data collected through consultation sessions was complemented with a review of existing literature to help frame the findings from the consultation sessions.

The consultation sessions were conducted over the span of two months during May and June 2023. Three consultation sessions were conducted in each of Egypt, Lebanon, and Tunisia. Qualitative data from the consultation sessions was collected from the actors who are the closest to IPR processes, i.e. public authorities working in IPR offices, entrepreneurship ecosystem actors including business support organizations and experts who work with enterprises who are potential or actual beneficiaries of IPR, and entrepreneurs who are direct beneficiaries of IPR. Consultation sessions with each of these named actors covered talking themes related to the roles of those actors as stated in the table below.

Public Authorities

- National Laws & regulations
- Awareness on IP
- Institutional capacities
- International treaties and positioning
- Ecosystem collaboration mechanisms

Ecosystem Actors

- Needs and challenges related to IPR
- Awareness and importance of IPR
- Institutional gaps from an ecosystem's perspective
- Ecosystem collaboration mechanisms

Entrepreneurs

- Needs and challenges of entrepreneurs
- Personal experiences of IPR
- Awareness on IP
- Institutional gaps
- Ecosystem collaboration mechanisms

Insights on future steps

Cross-cutting principles

Through different phases of the project, from research to the development of the recommendations, the research team incorporated and followed an extensive and comprehensive list of principles and ethical considerations as listed below:

- Anonymity: taking into consideration that the participants wanted to
- Confidentiality: taking into consideration that the information being discussed is confidential due to the secret nature of IPRs.
- Inclusivity and diversity: including marginalized communities, and people from different backgrounds in order to have more inclusive data gathered.
- Participatory: involving multiple types of stakeholders in the research process in order to gather effective and relevant data.
- Adaptability: taking into consideration that the research was done in three different countries, tailoring the approach to each context.

Limitations

The study provides headlines for major gaps, rather than specific details on gaps and proposed recommendations. The latter would involve further research into legal and institutional dynamics, which is outside the scope of this study.



By INVESTMED Project Partner

