

# DEPARTMENT AUTHORIZED TO TRANSFER WORK PERMITS UNDER SEVEN CONDITIONS

By Meshaal Al-Enezi

**KUWAIT:** In a bid to do both employers and workers justice, acting director of the Public Authority for Manpower Ahmad Al-Moussa authorized the authority's labor relations department and its units to accept or reject work permit transfer applications. According to the decision, the department and all labor units will allow transfers in seven cases including proving that employers had violated law 6/2010, banning employees from travelling, if the employee's relation with the employer is that of a partner, terminating employees by employers without violating article 41 of law 6/2010, the employee's resignation

and employer accepting it, cases included in articles 48 and 50 of the private labor law number 6/2020 and employees having worked for over three years for the same employer, provided employers are given proper legal notice in unlimited contracts and waiting for contract expiry in limited ones. Moussa added that transfers would be rejected in five cases including the validity of limited contracts without any violations on the employer's side, private school teachers desiring to transfer in the middle of the school year, working for less than three years on employer-issued work permits who insist they continue working for them, employees registered on government contracts and violating article 44 (a)

of the private labor law.

### KD 250 insurance

Chairman of Kuwait Businessmen Society Anwar Al-Meshaal bin Ajween praised Social Affairs and Labor Minister Hind Al-Subaih's response to the society's appeal to cancel ministerial decree number 19/2015 pertaining with paying KD 250 insurance per worker on issuing work permits and restricting it to employers having contracts with the government.

### MP sued

Chancellor Mohammed Al-Duaij yesterday filed another complaint against MP Abdulhameed Dashti, who described him

as 'one of Saddam's judges'. Duaij had earlier filed a complaint against Dashti for insulting judges after a court passed sentences against suspects accused in the 'Abdaly cell' case last week. Notably, the court sentenced two suspects to death and 20 others to various prison terms.

### No compensation

A civil court yesterday decided against compensating those who had been renting Amghara land plots for damage resulting from the huge occasional tire fires at the Amghara scrap market. The fire happened a few years ago before the market was relocated in Naayem along the Salmi highway.

## Legalese

# PROTECTING YOUR INTELLECTUAL PROPERTY

By Attorney Fajer Ahmed

**W**ith technology within hands reach, a majority of us now have Instagram accounts, Wordpress blogs, Snapchat and other platforms that have made us "publishers" in a sense. Online platforms have also made it easier for us to market our business ideas. Before technology, publishing your work was something only a few fortunate people had the opportunity or the means to do but now you could easily publish a short story, showcase your photography and even establish your own small company online.

We are very fortunate in Kuwait and the GCC that there is a lot of encouragement from governmental entities as well as communities to encourage the youth to become writers, painters, photographers, and to pursue any other talent or business idea they have. I hope this article helps you in pursuing your talent. With technology though, new laws had to be implemented for to protect our rights. Today I will be answering questions about Intellectual Property rights.

**Question:** What is included under Intellectual Property Rights? What can I protect?

**Fajer:** According to the World Intellectual Property Organization, "Intellectual Property refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce". This definition is very wide and includes so many different things, to understand better lets break it down.

There are three main categories under intellectual property as follows:

1) Copy Right - this is of important to anyone that "Produces" work. This includes literary work, art work, photography, any theater plays, and any musical productions.

2) Patents - This refers to inventions. They have to be "new" and capable of industrial applications. As can be used, unlike copyright this refers to materialistic work.

3) Trade Marks - these are usually logos of commercial entities, used as a quality of origin and to inspire customer loyalty

**Question:** How do I register my Intellectual Property?

**Fajer:** The answer to this question depends on what you are trying to protect. For copy rights unfortunately unlike neighboring GCC countries you cannot do so easily online, but you can through the Kuwaiti courts, from experience though most people do so only after someone has infringed their right, ie they claim property rights to their work after someone has used their work without permission.

For patents it is much easier than copy rights as there is a central body for the Gulf Cooperation Council for the Arab States located in Saudi Arabia. It is called "The Patent Office of the Cooperation Council for the Arab States of the Gulf" and they accept online submissions at <http://www.gccpo.org/>

For Trademarks there is a relatively new regulation for the Gulf Cooperation Council for the Arab States, the law was passed in 2014 and the countries are working closely to apply the law, making it easier for business owners across the gulf to protect their commercial rights. In Kuwait you can apply through the Ministry of Commerce, after fulfilling certain requirements and filling out hard copy forms (not available online yet), you will receive a "temporary" Trade Mark, this usually takes around 30 days. The Trade Mark will then be printed in the local newspaper the Kuwait Gazette and if no one appeals or claims that the Trade Mark is similar to their own within 90 days, then the trademark will become a permanent right.

**Question:** How long can one person own a certain Intellectual Property Right?

**Fajer:** In Kuwait and most countries copyrights are given to the "producer" for their lifetime and for 50 years after their death. This explains why anyone can now produce something written by Shakespeare. In the GCC trademarks are now being passed for 10 years since the day of registration, and can be renewed accordingly.

**Question:** Sometimes going through the proper channels for copyrights can take a while, how can I protect myself until then?

**Fajer:** There is no right or wrong way to do this. The best way is to go through the proper channels but as you mentioned they take a while and sometimes it's more efficient not to do so. The important thing though is for you to protect your rights in the long run and you are able to do so by always being able to prove that your work is yours.

If you have produced work, let's say a short story for example, my suggestion is before publishing it, send it to yourself via email, this way if something does come up in the future you can prove that you wrote it first.

I would also advice that you always read or research about the terms and conditions on online platforms before "publishing" your work on them. Some platforms can be very sneaky by making you agree that anything you publish through them is owned by them.



People arrested yesterday for gambling.

# SEVENTEEN EXPATS ARRESTED FOR GAMBLING

By Hanan Al-Saadoun

**KUWAIT:** Residency affairs detectives arrested 17 expatriates while gambling and betting. Detectives received information about several expats engaged in this criminal act, so the place was put under surveillance and after making sure about their activities, a team was formed to arrest them. The 17 were arrested with cash, money transfers, account records and gambling cards. All 17 confessed to the charges, and it was found out that an Asian man was running the place. All were sent to concerned authorities.

ment carried out a campaign on Seventh Ring Road and Kabd Road, resulting in impounding 95 cement mixers because of concrete leaking on the streets. Another campaign took place in the Capital governorate, resulting in impounding 20 vehicles, while 20 persons were arrested for using their vehicles to ferry people for money and were sent to concerned authorities.

### Municipality campaign

Ahmadi municipality public cleanliness and road occupancy department carried out a field campaign in Industrial Fahaheel, resulting in the removal of 10 abandoned cars and warning 13 others.

### Vehicles impounded

The supervision and inspection depart-

# ROADS LEADING TO SABAH AL-AHMAD CITY TO BE DEVELOPED: MINISTER

By A Saleh

**KUWAIT:** Public Works Minister Ali Al-Omar said that his ministry will soon develop Wafra highway and all roads leading to Sabah Al-Ahmad City. The ministry also offered a tender to study, design and supervise improving the roads between Sabah Al-Ahmad and Al-Khairan cities for public bidding, he added.

### 'Flying pebbles'

Meanwhile, MP Faisal Al-Kandari called for publishing a report made by a special committee on the 'flying pebbles' issue Omair had promised to investigate. "Those responsible must be held accountable," he underlined. Kandari also criticized officials' talk about reconsidering the materials used on various streets, noting that the problem prevailing over the past two years had never happened since Kuwait started paving streets in the 1960s and 1970s. "MPW takes full responsibility for the problem because we had warned last year of resuming contracts with contractors who do not respect contract conditions and ministry engineers do not do their jobs properly," he underlined.

### Deportation center

The Ministry of Education (MoE) yesterday renewed allocating the Saad bin Elyas intermediate school building to be used as a temporary center to accommodate expats arrested pending deportation until March 31, 2018.

### Housing units

The Public Authority for Housing Welfare (PAHW) stressed that it would start distributing housing units in Khairan City in 2019 once the construction of Mutlaa, South Saad Al-Abdullah and South Sabah Al-Ahmad cities was concluded.

### Oilfields development

Kuwait Oil Company (KOC) stressed continuing to develop the traditional northern oilfields through three main programs including building three crude oil collection centers, a facility to inject water and boost northern fields daily production capacity to one million barrels compared to the current rate of 600,000 barrels only. KOC also said

that a tender was signed to develop the first phase of heavy oil to get to a 60,000 barrel per day production rate by 2018-2019.

### Sports' suspension

The parliament's committee for youth and sports is due to meet today to discuss the letters that had not reached the committee from the Public Authority of Youth and Sports (PAYS) concerning sports unions and other sports organizations such as the Olympic committee. Committee chairman Abdullah Maayouf said that the committee needs the original documents to investigate those responsible for suspending sports activities.



Ali Al-Omar



**KUWAIT:** Kuwait National Guard (KNG) hosted a first aid course recently for employees of the Public Authority for People with Special Needs, in order to improve their skills in helping patients and dealing with cases of emergency.

# SECURITY CAMPAIGNS NON-DISCRIMINATORY, TARGET LAWBREAKERS: INTERIOR MINISTRY

**KUWAIT:** Security campaigns conducted by the Ministry of Interior (MoI) are non-discriminatory and are aimed to target those wanted for violations of state laws, irrespective of nationality, the MoI said in a press statement released yesterday. All expatriates are subject to the same law, one that is designed to uphold peace and security, the statement added.

The country's security apparatus will not in any way, shape or form undermine the liberty of nationals and expatriates alike, the statement stressed, adding that this is "a commitment affirmed by the MoI leadership."

Moreover, the statement added that a designated security force has been dispatched to the country's borders to deal with potential mass displacements. The MoI will do "everything in its power" to investigate and pursue anything that could have a detrimental effect on peace and security in the country, the statement said. — KUNA