



# **Regulations for the Optional Registration of Copyright Works 1440 Hijri – 2019 A.D.**



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## Regulations for the Optional Registration of Copyright Works

**Preamble:** Regulations for the Optional Registration of Copyright Works shall be approved on the basis of the objectives, mandates and functions assigned to the Saudi Authority for Intellectual Property under Article III of the Authority statues issued by the decision of the Council of Ministers no. 496 dated 14/9/1439 Hijri, which states that (The Authority aims to regulate, support, develop, sponsor, protect, enforce and promote the fields of intellectual property in the kingdom according to the global best practices..., and to achieve its aims ... it has the right to register and enforce intellectual property rights, and issue protection documents.)

### **Article One:**

The following words and phrases -wherever mentioned in this Regulations- shall have the meanings indicated hereunder unless the context indicates otherwise:

**Law:** Copyright Law of Saudi Arabia, promulgated by the Royal Decree no. m/41, dated 2<sup>nd</sup> Rajab 1424 Hijri, and amended by the decision of the Council of Ministers no. 536, dated 19/10/1439 Hijri.

**Authority:** Saudi Authority for Intellectual Property (SAIP).

**Board:** the Authority's Board of Directors.

**Regulations:** Regulations for the Optional Registration of Copyright Works.

**Works:** Copyright works covered by the regulations' provisions and subject to protection under the law and its implementing regulations provisions.



**Registrant:** Author or any rights owners, in accordance to law provisions.

**Registration:** Registration of work at the authority.

**Registry:** A database, in which the work details are documented, including the rights and emerging actions.

## **Article Two**

This Regulations aims at:

- 1- Adoption of rules and procedure regulating the services provided by the Authority, under the Regulations.
- 2- Documentation of works and granting the Registration certificate, which promotes the trust in the transactions and actions related to such works.
- 3- Establishing an electronic database to register the works by the Authority.

## **Article Three**

The Authority shall provide the Registration service for the following works:

- 1- Architectural designs.
- 2- Computer software and applications.
- 3- Any other works determined by a decision issued by the CEO of the Authority.

## **Article Four**

A Registry shall be created in the Authority, in order to document the works' details, authors, year of authorship, status of publication, all modifications registered, emerging actions and any other data determined by the Authority.



### **Article Five**

The Registrant or his/her representative has the right to submit a Work Registration application, a registered Work modification, and an occurred action on a registered work.

### **Article Six**

The Registration application shall meet the following requirements:

- 1- The Work or any of its contents shall not be contrary to Islamic Law (Shariah), Kingdom laws or the public decency.
- 2- Completion of the data and attachments required for the Registration.
- 3- Registration application is limited to one work, taking into consideration the nature of the Work.
- 4- The Work shall not be from the excluded Works of the protection by the Law.
- 5- The Work is in its final form, and is not a draft or a preparatory work.
- 6- The payment of the financial equivalent in accordance with these Regulations.
- 7- Any additional discipline, conditions and requirements, issued by a decision of the CEO of the Authority.

### **Article Seven**

The Registration application is submitted electronically to the Authority, and should contain the following data:

- 1- Registrant name, nationality, status, address and copy of the Power of Attorney (if any).
- 2- Author name, alias and nickname (if any), nationality, address and death date (in the case the Author has died).



- 3- Name of entity that directed the work (if any), its address and the document that shows as the relationship between the entity and the author.
- 4- The Work title, type, description and language.
- 5- The publisher's name and address, date and place of first publication and the international number (if any).
- 6- Alienator's name, nationality and address, alienation type, duration, geographical scope and the document that shows as evidence the alienation incident from the author or the right owner.

### **Article Eight**

The followings shall be attached with the Registration application:

- 1-A copy of national ID, passport (for foreigners), commercial register (for legal entities) or the supporting documentation for other entities.
- 2-A copy of the Work, according to the nature of the Work.
- 3-Acknowledgment of the validity of the stated information in the application, the right ownership, the registrar responsibility bearing any violation of other parties' rights, or any violation results in his application
- 4-Any other attachments required by the Authority.

### **Article Nine**

Registrant shall be provided with a serial number recording the receiving of his application, and he shall pay the the financial equivalent for the examination within three days from the application submission, via -approved payment channels of the Authority, and in case of not paying within the time limit, the application is considered as if it is does not exist. .



### **Article Ten**

The Authority shall examine the application and verify the completeness of registration data, documents and requirements. The Authority shall make the decision about the Registration of application within sixty days from the date of payment of the financial equivalent for the examination or from the date of completing the additional requirements.

### **Article Eleven**

The Authority may require the registrant to submit any documents or other information by a notification addressed to the registrant that is considered to be necessary to accept the application within thirty days from the date of notification. And in the case of not completing what is required within the time limit, the application is considered as if it does not exist, and this does not result in any refunds of what had been paid.

### **Article Twelve**

If the Authority finds that the Registration application meets the prescribed conditions, it should notify the Registrant. The Registrant should then pay the financial equivalent in order to record the Work within thirty days from the date of notification, and in the case of nonpayment within the time limit, the application is considered as nonexistent, and this does not result in any refunds of what has been already paid.

If the Authority finds that the Registration application doesn't meet the prescribed conditions, it shall issue a decision of refusal, showing the causes of refusal, and notify the Registrant.



### **Article Thirteen**

The Authority shall issue the Registration certificate after completing the Registration acceptance, and the Authority may publicize the registration by any determined means.

### **Article Fourteen**

The recorded data in the Registry shall be cancelled only on the basis of a reasoned decision from the CEO of the Authority, or a final court judgment.

### **Article Fifteen**

1. Failure to register the work or failure to record its actions shall not entail violation of the protection or the rights that is stated by the Law.
2. Registration certificate is not a permission to use, circulate, present, or publish the Work.
3. The Authority shall receive the designated financial equivalent according to the attached table.

### **Article Sixteen**

1. The CEO of the Authority shall issue the decisions required for the implementation of this Regulations.
2. These Regulations shall be published in the Official Gazette, and shall be in effect after one hundred and twenty days from its publication.



## Appendix

### The financial equivalent, under Article 15 of the Regulations

Work type	Computer software and applications		Architectural designs	
Category	Individuals	Companies	Individuals	Companies
Service Type				
<b>Work Examination</b>	100 Saudi Riyal	200 Saudi Riyal	50 Saudi Riyal	100 Saudi Riyal
<b>Work Registration</b>	200 Saudi Riyal	400 Saudi Riyal	100 Saudi Riyal	200 Saudi Riyal
<b>Work Modification</b>	100 Saudi Riyal	200 Saudi Riyal	50 Saudi Riyal	100 Saudi Riyal
<b>Registration of alienation, occurred to the Work.</b>	100 Saudi Riyal	200 Saudi Riyal	50 Saudi Riyal	100 Saudi Riyal