



doi <https://doi.org/10.58256/safv7f55>

Research Article



Section: Law, Culture, Media & Film

Published in Nairobi, Kenya by  
Royallite Global

Volume 5, Issue 2, 2024

### Article Information

Submitted: 19th November 2023

Accepted: 11th January 2024

Published: 7th February 2024

ISSN: 2708-5945 (Print)

ISSN: 2708-5953 (Online)

Additional information is available  
at the end of the article:

To read the paper online, please scan  
this QR code:



### How to Cite:

Yas, N., Abdurahim, H., & Njim, M. (2024). The civil protection of trademarks according to the UAE law. *Research Journal in Advanced Humanities*, 5(2). <https://doi.org/10.58256/safv7f55>

## The civil protection of trademarks according to the UAE law

Nadia Yas<sup>1</sup>, Hani Abdurahim<sup>1</sup> & Mohammed Njim Ibrahim Elyat<sup>2</sup>

<sup>1</sup>College of Law, University of Umm Al Quain, UAE

<sup>2</sup>College of Law, Arab Open University, Sib, Oman

Correspondence: [Drnadia.a@uaqu.ac.ae](mailto:Drnadia.a@uaqu.ac.ae)

<https://orcid.org/0000-0001-5933-7669>

### Abstract

The civil protection (CP) of trademarks in the United Arab Emirates is governed by Federal Law No. 37 of 1992 on Trademarks. This law outlines the legal framework for registering, protecting, and enforcing trademarks in the UAE. It provides trademark owners with the legal tools to safeguard their intellectual property rights and take appropriate measures in case of any infringement or unauthorized. The law plays a crucial role in maintaining a fair and competitive business environment while ensuring the country's intellectual property protection. Civil protection is a right for the owner of the trademark, who has the right to resort to the judiciary in case of its use or exploitation by others to claim compensation for the extent of the damage caused, whether it is moral or material. We have noticed a lot of exploitation and forgery of trademarks in various countries worldwide, leading to severe losses for some commercial companies that bear globally and locally renowned trademarks. The study analyzes trademark ownership and rights, focusing on legal procedures to protect against exploiters or counterfeiters. Divided into two sections, it discusses trademark types, conditions, and civil protection mechanisms, including unfair competition, and concludes with results and recommendations.

**Keywords:** civil protection, industrial mark, trademark, trademark laws, service mark



© 2024 The Author(s). This open access article is distributed under a Creative Commons Attribution (CC-BY-NC-SA) license.

### Public Interest Statement

Trademark protection is crucial for maintaining a fair and competitive market, safeguarding businesses and consumers' interests. It creates a level playing field, ensures quality products, and promotes brand loyalty, consumer confidence, and business growth. It also enhances innovation and creativity in the business sector. Businesses with confidence in brand protection invest in research and development, leading to improved products and services, retaining customers and benefiting the UAE economy.

### Introduction

Civil protection of trademarks refers to the legal framework and mechanisms which have been put in place to protect the rights of trademark owners and prevent infringement or misuse of their trademarks in the United Arab Emirates (Hussein, S. F., 2020). In the UAE, trademarks are registered, protected and enforced under the Federal Law No. 37 of 1992 on Trademarks and its amendments, which is commonly known as the UAE Trademark Law.

The UAE Trademark Law offers civil protection to trademarks through the following mechanisms: Registration: , trademark registration provides the trademark owner with exclusive rights and legal protection for a period of 10 years, which can be renewed anytime. Upon registration, the trademark is officially published in a Gazette, which will serve as public notice that a particular trademark exists and states its ownership (Bassiouny, A. A. M., 2022). Secondly, it provides Legal solutions for infringement: In case of trademark infringement, the trademark owner can bring a civil action against the infringing party, seeking an instruction to stop the infringement, damages for loss suffered, and destruction of infringing goods. Thirdly, Border control measures. The UAE implemented border control measures in order to prevent importation or exportation of goods that violate and breach laws imposed on trademarks. The trademark owner has powers to request customs authorities to suspend the release of such goods and inform them of potential violation of rules (Chaudhry, P. E., & Zimmerman, A., 2009). Additionally, trademark owners must ensure that their trademarks do not infringe on any existing trademarks in the UAE, as this could lead to legal action against their own trademark. To conclude, the UAE has a comprehensive legal framework in place for the civil protection of trademarks. It is important for trademark owners to understand their rights and obligations under the trademark law to ensure proper protection and enforcement of their trademarks.

Human intellect is considered a source of knowledge and a wellspring of creativity, serving as a cornerstone in propelling the wheel of progress within any society (Saulais, P., & Ermine, J. L., 2012). As one of the most prominent elements of intellectual property, trademarks hold paramount importance, playing a crucial role in local and global trade. They are regarded as one of the intangible assets of commercial entities, used to distinguish products or services from one another (Yas, N., Dafri, W., & Rezaei Gashti, Z, 2022). With the economic advancement worldwide and the liberalization of international trade, there has been an increase in the production and diversity of goods. Consequently, product owners differentiate their goods from others by establishing distinct marks for their products among the competing ones. Moreover, the specific nature of trademarks has simultaneously facilitated attacks and exploitation of their fame. The more renowned a trademark becomes, the more it becomes a target for infringers and counterfeiters. This necessitates legal protection against potential attacks, achieved through local and international legislation (Zobel, K., 2008). This paper will focus on civil protection, which plays a vital role in UAE's economic growth, especially in assuring foreigners a guarantee to invest in the country. This paper narrows down to provide a clarification on the legal aspects of civil protection.

### Research Objectives

This study aims to clarify the legal aspects of the civil protection of trademarks by defining the scope of this protection and examining its implications. This includes delineating the mechanisms through which civil protection of trademarks is embodied and assessing the effectiveness of such protection through the analysis of legal texts.

### Research Problem

The problem addressed in this study revolves around the extent to which trademarks enjoy civil protection in terms of scope and mechanisms. It also examines the effectiveness and adequacy of legal texts in safeguarding trademarks and ensuring non-infringement and whether they align with the requirements of international agreements.

### Research Methodology

The researcher adopted an analytical and descriptive approach, analyzing legal texts relevant to the trademark and describing the legal framework for unfair competition related to that trademark. Additionally, the researcher employed a comparative methodology, examining specific legislations to assess the extent and scope of their application of civil protection for trademarks.

### Literature Review

#### **The conditions for registering a trademark and the procedures involved**

For a trademark to receive legal protection, the legislator stipulated several conditions under Federal Decree No. 37 of 1992 for it to acquire the right to ownership. As registration is a fundamental requirement for obtaining the right to a trademark and its protection, it must address both substantive and formal conditions:

The substantive conditions for registering a trademark require distinctiveness:

#### **Distinctiveness.**

Registering a trademark requires it to possess a distinguishing characteristic from other marks to enjoy legal protection. Article 3 of the UAE law stipulates that a trademark should not be devoid of any distinctiveness. It should not consist of customary expressions, ordinary drawings, or regular depictions of goods and services. The substantive requirement for a trademark is that it should be distinctive and capable of being distinguished from similar trademarks. It doesn't necessarily have to be general but should be specific and carry specific meanings or expressions related to the products or services offered by the company. Distinctive trademarks usually require ethics and innovation, the ability to provide unique and different products or services from their competitors, and the ability to be specific and legally protected.

In practice, unique and distinctive trademarks catch the consumers' attention, help identify the product or service's identity, and enhance trust and loyalty to the brand. They enable companies to market their products effectively and compete successfully; they also allow companies to protect their intellectual property rights and prevent unauthorized use of the trademark (Trademarks in the UAE; TRIPS Convention; Ramadan, Saad. 2019; Abdullah, Mohamed. 2010; Ibrahim, Khaled. 2019).

#### **The condition that a trademark must be new**

This is one of the most critical substantive requirements. This condition implies that the trademark should be unique, with at least one distinctive element that sets it apart from any similar mark, avoiding confusion or ambiguity among consumers using the product. This requirement means that the trademark should be new in its general form, without any prior use or registration for the same goods, products, or services by another person. Therefore, there are restrictions on this condition in terms of place, time, and type. It is relative rather than absolute, implying that it contains an element of innovation and is constrained by various factors such as the type of products, time, place, and the form of the trademark (Ibrahim, Khaled. 2019).

A new trademark or industrial mark used within the country enjoys legal protection but loses its novelty if it has been previously used in part. Additionally, a new trademark does not lose its novelty if used outside the country unless a foreign mark is registered within the country or owned by a national of the countries belonging to the International Union for the Protection of Industrial Property. Furthermore, a new trademark does not lose its novelty as a unique mark if it has been previously used but was left unregistered

or not renewed by its owner according to the specific legal conditions for registering trademarks and industrial marks.

International agreements affirm this, as the Paris Convention prohibits the registration of any mark that constitutes a reproduction, translation, or imitation of another mark considered well-known in that country on the basis that it is a mark of a person entitled to benefit from the convention and is used for similar or related goods. Similarly, the TRIPS agreement grants the absolute right to the trademark owner and his right to prevent others from using the same mark or a similar mark in their business for the same type of goods or similar services for which the mark was registered if such use is likely to confuse consumers about the source of the goods (The Paris Convention 1996). This is also reflected in the UAE law under Article (3) (Cabinet Decision No. (57) of 2022 pertains to the executive regulations), which grants the registered trademark owner the right to reject the registration of any identical or similar mark that could lead to public deception. The registered trademark owner also has the authority to refuse the registration of an identical or similar mark to another used “without registration” by himself or upon objection by others.

### **The requirement for the trademark to be lawful**

It is essential, in addition to being distinctive and new. Legitimacy here implies that the trademark should not contradict. The trademark loses its legitimacy if it violates any legal provisions stipulated in the commercial transactions law or any other laws and regulations in force in the country. It should comply with Article (3) of the UAE trademark law (Al-Muhaissen, Osama. 2011). Determining the legitimacy of a trademark varies from one society to another and from one period to another, as it is a flexible concept. Individuals have absolute freedom in choosing the elements that make up the trademark in harmony with the personal liberty of trade and industry. An example of a violation of public order is “public emblems, flags, military and honorary insignia, national and foreign decorations, metal and paper currencies, and other symbols belonging to the state or other countries, or Arab or international organizations or any of their institutions, or any imitation thereof.” The UAE legislature has also prohibited deceptive trademarks to protect consumers from falling victim to counterfeit goods. Such trademarks are considered illegitimate and cannot be registered; they are considered void. If a trademark is distinctive, does not infringe on the rights of others, and is legitimate, the registrant must report it according to the procedures followed in the country. Therefore, the trademark is considered to lack the requirement of legitimacy if it violates any legal provisions, whether stipulated in the Trademark Law or any other laws and regulations in force. The trademark is also considered to lack the requirement of legitimacy if it contravenes public order and morality.

### **Formal conditions**

We have previously clarified the substantive conditions for the trademark and highlighted what should be followed according to the law. However, these conditions are not sufficient unless the formal conditions are applied to ensure that the trademark enjoys full legality and legitimacy. The trademark owner or their legal representative must fulfil its standard requirements. The registration of trademarks is considered one of the essential formal requirements. Without registration, they are not recognized and are not considered legally complete. Registration protects the trademark according to the law unless the owner requests its removal from the commercial register. Thus, the conditions for registration should be specified by the party entitled to apply for registration, along with the necessary procedures to be followed.

According to the prepared form, this is done by applying from the trademark owner or their legal representative through the electronic services of the relevant authority. The application can be submitted for one or several classes per the International Classification of Goods and Services” (Article 2 of Federal Decree-Law on Trademarks; Article 2 of Cabinet Decision pertains to the executive regulations of its law). Article 6 of Federal Decree No. 36 of 2021 concerning trademarks states that ‘Any natural or legal person has the right to register their trademark in accordance with the provisions of this Decree and the law.’ This Article clarifies that individuals or legal entities engaged in any commercial, industrial, handicraft, or service

activities have the right to register a trademark according to the provisions of this Decree. The applicant for trademark registration must provide several pieces of information to the relevant authority, including the image of the trademark to be registered, their name, address, and nationality. If the applicant is a legal person, they must provide the main headquarters address. If a representative of the trademark applicant applies, the agent must provide their name and address. Additionally, it is necessary to specify the goods and services intended to be registered, along with their class and a precise description of the trademark” (Article 2 of Cabinet Decision pertains to the executive regulations related to Trademarks).

### **Mechanisms of Civil Protection for the Trademark**

The purpose of this protection is to combat unfair competition and any infringement on the rights of others, thereby allowing the law to grant the affected party the right to claim compensation for the damages incurred. In this section, we will review the claim of unfair competition and its conditions in the first requirement, followed by the legal basis for the claim of unfair competition in the second requirement.

### **Unfair competition claims for the trademark and its conditions** Top of Form

The principle is that competition is a legitimate and protected act that must be fair according to the rules of law and commercial customs. If it deviates from this framework, it is considered unfair and may result in legal liability, which can be addressed through an unfair competition claim. Any party who suffers damages due to an infringement on the trademark has the right to file a liability lawsuit. This lawsuit is not limited to the trademark owner, as unfair competition is a liability claim aimed at compensating for any damage resulting from the harmful act, as stated in Article 282 of the UAE Civil Transactions Law, which holds” any harm to others shall obligate its doer, even if not distinct, to guarantee the damage”.

Similarly, Article 64 of the same law stipulates that a “merchant is not allowed to induce the employees or workers of another competing merchant to assist him in snatching the customers of that merchant or to leave the service of that merchant and join his service, or to disclose to him the secrets of his competitor. Such actions are considered unfair competition that requires compensation” (UAE Civil Transactions Law No. (5) of the year 1985).

According to these provisions, the general rule indicates any act causing harm. Therefore, the unfair competition claim does not depart from a regular liability claim based on the wrongful act. This compensation is sought through the claim of unfair competition. There is no room for liability unless unfair competition results in material or moral harm, regardless of the magnitude of the damage, whether small or large. The unfair competition claim differs from the tort liability claim (Al-Obaidi Ali Hadi. 2019; Abdulrahman. Jamal and Abu Hashima. Adel. 2015), confined solely to compensation for the damage. On the other hand, the claim of unfair competition is a preventive claim that prevents the occurrence or continuation of harm, in addition to the principle of claiming compensation for the damage and this requires compensation.

We can conclude from this that anyone whose rights have been infringed upon has the right to resort to the judiciary by filing a claim of unfair competition after ensuring its compliance with the specific legal conditions related to the trademark owned by them. For the trademark owner to be able to file a claim against another regarding unfair competition, three conditions must be met for such a claim. These are unfair competition, resulting harm from the dishonest act, and the presence of a causal relationship between the fault and the damage. We will clarify each of these mentioned conditions below.

### **Unfair competition**

Unfair competition generally refers to illicit acts committed by a merchant or industrialist to gain an advantage at the expense of others unjustly, contravening legal principles and prevailing ethical norms in business dealings and honesty in commercial practices. Filing a claim of unfair competition requires genuine competition between two or more individuals operating in the same commercial field but with one adversely affecting the lawful activities of the merchant. For instance, tarnishing a competitor’s reputation, whether

they are a natural or legal person, is not permissible. No one has the right to attack a competitor's reputation based on their nationality or religion to deter customers from them or their trustworthiness or to exploit their insolvency, bankruptcy, or similar circumstances. While a product owner has the right to praise their goods and highlight their advantages, they are not entitled to diminish the value of a competitor's merchandise to eradicate the excellent reputation their products enjoy in the market, such as claiming that their goods are counterfeit or unsuitable. Unfair competition is also deemed if an individual exploits distinctive technical or commercial skills without the owner's permission or benefits from professional secrets as a former employee or partner authorized to handle them to harm the business owner or former partner. Additionally, establishing a commercial establishment close to a competitor's store to exploit their reputation outside the norms and competitive practices is also considered unfair competition (Zubeir. Hamadi. 2012; Jaghebeer. Hamdi. 2012).

### **That the wrongful act results in harm**

The harm in the context of unfair competition refers to the detrimental effects resulting from the actions of unfair competition. It could be material harm that affects the merchant in relation to their trademark, whether they are trademarks, trade names, or service-related marks. The harm could also be moral, affecting the merchant's commercial reputation and the reputation of their trade-related marks. However, what must be present in the damage is that it has occurred or will occur. In other words, for a claimant to seek compensation, there must be actual harm that has led to financial or moral loss.

Therefore, the element of harm is necessary for filing a claim of unfair competition, as it is considered one of the fundamental elements of civil liability. It is inconceivable to establish liability without it (Al Muhaisan. Osama. 2011). Therefore, compensation can only be claimed if the actions of unfair competition have caused harm to the competing merchant whose trademark has been violated. The purpose of this claim is not limited to mere compensation for the damage, but rather, unfair competition is considered a preventive claim aimed at preventing future harm. As for the burden of proof, it falls on the claimant seeking compensation for the wrongful act in accordance with general principles.

As for the assessment and determination of the damage, this falls within the discretionary power of the judge, who has the right to seek the assistance of experts, taking into account the magnitude of the loss or damage suffered by the affected merchant.

### **The causal link between the fault and the damage**

It is an essential element for its establishment. The causal link between the fault and the damage is significant. This is because the occurrence of harm can be influenced by several factors, known as the unity of harm, which can be envisioned when one merchant engages in unfair competition against another. Alternatively, there might be one fault that causes several damages simultaneously. In both cases, the aggrieved person must inquire about the direct harm that occurred to the merchant (Ibrahim, Kalid. 2019).

Claiming compensation by the affected party due to the assault on their trademark through unfair competition requires a causal relationship between the actions of unfair competition carried out by the assailant and the resulting damage to the trademark owner under attack. If the trademark owner cannot prove this causal link between the act of assault and the consequential damage, they cannot benefit from compensation for the harm.

Sometimes, it might be difficult for the merchant to establish the causal relationship they claim. Despite this, the court may accept the claim of unfair competition when its purpose is to take precautionary and preventive measures in the event of market disruption (Sarhan, Adnan. 2015).

### **The legal basis for unfair competition claims**

Many legislations do not specifically regulate this claim in their laws but leave it to the judiciary's discretion. The legal basis for an unfair competition claim is rooted in the legal principle that every harm to another

obliges the doer to provide compensation. This is because the rules of law prohibit causing harm to others, as there is an obligation imposed by legal regulations on everyone to refrain from causing damage.

There is, in fact, a difference of opinion regarding the legal basis that underpins the claim of unfair competition. Some argue that the wrongful act is based on the general rules relating to tort liability, which dictate that anyone causing harm must provide compensation. Others view it as being based on the theory of abuse of rights. In contrast, still others argue that the claim of unfair competition goes beyond the scope of tort liability because it aims only to compensate for the damage (Alfalahi Q, Al Shibli F., 2023).

For instance, the claim of unfair competition is considered an application of the general principle in the UAE Civil Transactions Law, which stipulates in Article 282 that “every harm to others obliges the doer, even if not deliberate, to provide compensation.”

Yes, there has been a difference of opinion among legal scholars regarding the legal basis of the claim for unfair competition, which can be attributed to the absence of specific rules or legislative provisions governing allegations of unfair competition (Zain Aldin, Salah. 2010). This absence has led to varying interpretations and applications by the legal authorities, as they rely on general legal principles to address cases related to unfair competition.

Some scholars argue that an unlawful act constitutes a fault that obliges the perpetrator to compensate for the resulting harm to the other party, provided that the latter proves the conditions of this claim, including fault, damage, and causational (Al Fatlawie, Sameer. 1997).

Despite the jurisprudential disagreement, most jurists consider the legal basis for the claim of unfair competition to be derived from the general rules governing tort liability. This is based on the principle that anyone who causes harm to others is liable to compensate for the damage. Therefore, the principles of the law prohibit causing harm to others. Hence, the claim of unfair competition is grounded in tort liability provisions, as established in the general rules, and we tend towards this (Yas, N., Al Qaruty, R., Hadi, S. A., & AlAdeedi, A.,2023). We found out that the UAE legislator emphasized specifying the legal basis of liability for any act of unfair competition, particularly related to deception or attempted deception of a contracting party using an incorrect trademark, provides more comprehensive protection than the criminal protection provided for acts of aggression as stipulated by the law.

## Findings

Through our study of various research and sources, we did not find a unified definition for the trademark, as its definition varies from one legislation to another, depending on each country. To enjoy legal protection, trademarks must be distinctive and new, meaning they have not been used before, to emphasize the innovation's uniqueness. They must also be legitimate, not violate public policy and morals, and must be registered according to their specific legislation. To benefit from some legislations, including that of the UAE, in terms of civil protection, the trademark must be registered with the relevant authorities; otherwise, it will not have legal protection. The UAE legislator has granted the right to file a claim for unfair competition to any person harmed using the trademark, whether its owner or any other person, and they must prove this harm. The basis for an unfair competition claim is primarily based on tort liability. However, this does not preclude it from being based on contractual liability if the unlawful acts constitute a breach of the contractual obligations. The UAE legislator has clearly and explicitly outlined the necessary conditions for a trademark, including substantive and formal requirements such as trademark registration, to enable the owner to exercise certain rights. Additionally, the trademark owner enjoys legal protection, whether civil or criminal.

## Recommendations

We see it necessary for trademark owners to register their trademarks to benefit from the civil protection provided by the law and to renew them continuously to protect their commercial interests and reputation against unfair competition. It is necessary to establish a unified definition or text in international agreements

and have it adopted by countries worldwide in their local laws so that all companies worldwide can benefit from it against unfair competition.

**Conclusions**

From the preceding, it is evident that the evolution of trade and its mechanisms can only be realized within the framework of fair competition, which is considered the spirit of commerce. Any use of fraudulent means contrary to public morals and ethics constitutes unfair competition, and the perpetrators must be punished and held liable for the damages they have caused. Trademarks are one of the most significant elements of industrial property and hold great importance within this field. Despite their crucial role, they have become susceptible to infringement through imitation. Consequently, countries have given significant attention to trademarks, enacting international regulations and domestic legislation to protect their rights from encroachments that now threaten the rights of companies and institutions, especially in the context of technological advancements. The following are the most important findings and recommendations:

**Funding:** This study did not receive any external sources of funds.

**Acknowledgement:** I would like to convey my profound thanks to my institution, umm al quwain University, for their continued encouragement and support.

**Conflicts of interest:** There was no conflict of interest.



Referncess

- Abdullah, M. H. (2010). Intellectual Property (Basic Provisions). *Jordan: Maktabat Al-Afaq Al-Mashriqa*. <https://doi.org/10.2139/ssrn.3976233>
- Abdulrahman, J., & Abu, H. Adel (2015). Intellectual Property Rights - A Comparative Study, Dar Al-Kotob Al-Qanouniya and Dar Shatat for Publishing and Software, Egypt. <https://doi.org/10.56042/jipr.v29i1.703>
- Agreement on trade-related aspects of intellectual property rights (TRIPS agreement) (as amended on 23 January 2017). (2020). *A Handbook on the WTO TRIPS Agreement*, 295-337 <https://doi.org/10.1017/9781108883511.015>
- Agreement on trade-related aspects of intellectual property rights (TRIPS agreement) (as amended on 23 January 2017). (2020). *A Handbook on the WTO TRIPS Agreement*, 295-337. <https://doi.org/10.1017/9781108883511.015>
- Ahmed, S. A. (2018). Intellectual property and principles of IPR in Bangladesh. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3208646>
- Ahmed, S. A. (2018). Intellectual property and principles of IPR in Bangladesh. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3208646>
- Alfalahi, Q., & Al Shibli, F. (2023). The Role of Arbitration in Protection the Owner of Famous Trademark from the Degital Environment Infringment. *International Journal of Professional Business Review: Int. J. Prof. Bus. Rev.*, 8(4), 16. <https://dialnet.unirioja.es/servlet/articulo?codigo=8956539>
- Al-Fatlawi, Sameer Jameel Hussein, "Algerian Commercial Contracts," University Publications, 1997. Saad, M., & Zawdie, G. (2005). From technology transfer to the emergence of a triple helix culture: The experience of Algeria in innovation and technological capability Development. *Technology Analysis and Strategic Management*, 17(1), 89-103. <https://doi.org/10.37547/tajpslc/volume04issue03-07>
- Al-Jaghebeer, Hamdi Ghaleb, Trademarks - Offenses Committed Against Them and Guarantees of Their Protection, Al-Halabi Legal Publications, Lebanon, 1st edition, 2012, pp. 398-399.
- Al-Jilali, Aja, "Trademark, Characteristics and Protection," Encyclopedia of Intellectual Property Rights, Zain Al-Huqouqeya Publications, Beirut, 2015 <https://doi.org/10.36719/2706-6185/04/49-51>
- Al-Muhaisen, Osama Nael, "Concise in Intellectual Property Rights," Dar Al-Thaqafa for Publishing and Distribution, Jordan, 2011. <https://doi.org/10.1093/he/9780198804727.003.0014>
- Al-Obaidi Ali Hadi, Non-Voluntary Sources of Obligation According to the UAE Civil Transactions Law and Judgments of the UAE Judiciary, Al-Afak Al-Mashriqah - UAE, 1st edition, 2019, p. 31. <https://doi.org/10.2139/ssrn.3976233>
- Al-Obeidi, A. H. (2022). Legal basis of civil liability for applications of artificial intelligence (Particularly robotics) according to the UAE civil transactions law. *2022 International Arab Conference on Information Technology (ACIT)*. <https://doi.org/10.1109/acit57182.2022.9994136>
- Al-Obeidi, A. H. (2022). Legal basis of civil liability for applications of artificial intelligence (Particularly robotics) according to the UAE civil transactions law. *2022 International Arab Conference on Information Technology (ACIT)*. <https://doi.org/10.1109/acit57182.2022.9994136>
- Al-Sharieh, S. (2022). A new copyright law in the UAE. *Journal of Intellectual Property Law & Practice*, 17(3), 214-216. <https://doi.org/10.1093/jiplp/jpac004>
- Al-Sharieh, S. (2022). A new copyright law in the UAE. *Journal of Intellectual Property Law & Practice*, 17(3), 214-216. <https://doi.org/10.1093/jiplp/jpac004>
- Atchley, A. A. (2015). Status of intellectual property rights protection from the Viewoint of the United States plant variety protection office. *Intellectual Property Rights: Protection of Plant Materials*, 89-92. <https://doi.org/10.2135/cssaspecpub21.c8>
- Atchley, A. A. (2015). Status of intellectual property rights protection from the Viewoint of the United States plant variety protection office. *Intellectual Property Rights: Protection of Plant Materials*,

89-92. <https://doi.org/10.2135/cssaspecpub21.c8>

- Azeemi\*, N. Z., Hayat, Z., Utaibi, G. A., & Basheer, O. A. (2020). Hybrid data protection framework to enhance A2O functionality in production database virtualization. *International Journal of Recent Technology and Engineering (IJRTE)*, 8(6), 5691-5698. <https://doi.org/10.35940/ijrte.f1203.038620>
- Babakulov, Z. (2022). Civil legal protection of trademarks in the Digital Era. *The American Journal of Political Science Law and Criminology*, 04(03), 41-50. <https://doi.org/10.37547/tajpslc/volume04issue03-07>
- Bassiouny, A. A. M. (2022). Protecting Well-known Trademarks: A Comparative Study. *Journal of Positive School Psychology*, 673-681.
- Bassiouny, A. A. M. (2022). Protecting Well-known Trademarks: A Comparative Study. *Journal of Positive School Psychology*, 673-681.
- Chaudhry, P. E., & Zimmerman, A. (2009). The economics of counterfeit trade: Governments, consumers, pirates and intellectual property rights. Springer Science & Business Media.
- Fathallah, R., & Carney, M. (2024). The business family as an institutional arbitrageur: Internationalization across institutional contexts. *Journal of World Business*, 59(2), 101507. <https://www.sciencedirect.com/science/article/pii/S1090951623000822>  
<https://www.inderscienceonline.com/doi/abs/10.1504/IJEER.2020.103898>  
<https://www.journalppw.com/index.php/jpsp/article/view/5858>
- Hussein, S. F. (2020). Civil Protection of the Trademark: A Comparative Study. *International Journal of Innovation, Creativity and Change*, 13, 755-65.
- Ibrahim, Khaled Mamdouh, "Legal Protection of Trademarks, Civil and Criminal," DarAl-FikrAl-Jamei, Alexandria, 2019. <https://doi.org/10.26650/annales.2018.67.0006>
- Intellectual property rights for software, artificial intelligence and computer related inventions: A comparative analysis. (2024). *Journal of Intellectual Property Rights*, 29(1). <https://doi.org/10.56042/jipr.v29i1.703>
- Islam, M. T., & Al-Mamun, M. J. (2021). Protection of unregistered well-known trademarks: The Bangladeshi trademarks regime revisited. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3976233>
- Kadir, I. A. (1989). Trademark Protection in the United Arab Emirates. *Arab Law Quarterly*, 31-47. <https://www.jstor.org/stable/3381444>
- Kammel, K. P. (2019). Examining trademark counterfeiting legislation, free trade zones, corruption and culture in the context of illicit trade: The United States and United Arab Emirates. *Mich. St. Int'l L. Rev.*, 28, 209. <https://a-capp.msu.edu/article/examining-trademark-counterfeiting-legislation-free-trade-zones-corruption-and-culture-in-the-context-of-illicit-trade/>
- Larina, T. (2021). Intellectual property code of France in the context of digital transformation of legal regulation. *Digital transformation of economic relations: challenges for law*. <https://doi.org/10.54984/161187>
- Madi, R., & Almistarehi, M. (2020). The unfair competition lawsuit for protecting the unregistered trademark which is accompanying a sound under the UAE legislation. *International Journal of Economics and Business Research*, 19(1), 42-58.
- Madi, R., & Almistarehi, M. (2020). The unfair competition lawsuit for protecting the unregistered trademark which is accompanying a sound under the UAE legislation. *International Journal of Economics and Business Research*, 19(1), 42-58. <https://www.inderscienceonline.com/doi/abs/10.1504/IJEER.2020.103898>
- Mathely, Paul: "French Law of Distinctive Signs," Libraire du Journal du Notaries et de Avocates, Paris, 1986. <https://doi.org/10.36719/2706-6185/04/49-51>
- Muhammad, Jamal and Abu Hishaima, Adel, "Non-Voluntary Sources of Obligation," Dar Al-Kotob Al-Qanouniya and Dar Shatat for Publishing and Software - UAE and Egypt, 2014. [www.sharjah.com](http://www.sharjah.com)
- Murray, A. (2019). 14. Branding, trademarks, and domain names. *Information Technology Law*, 359-389. <https://doi.org/10.1093/ite/9780198804727.003.0014>
-

- Niyazi oglu Zeynalov, N. (2021). The issue of intellectual property rights in the digital world. *ANCIENT LAND*, 04(02), 49-51. <https://doi.org/10.36719/2706-6185/04/49-51>
- Ramadan, Saad Ali, "Intellectual Property Rights According to UAE Law," UAE: Al-Afaq Al-Mashriqa, 2019. <https://doi.org/10.36719/2706-6185/04/49-51>
- Sarhan, Adnan, "Non voluntary Sources (Personal Right)", University Library - Sharjah, 2nd edition, 2015. <https://www.tandfonline.com/doi/full/10.1080/13642987.2018.1562917>
- Saulais, P., & Ermine, J. L. (2012). Creativity and knowledge management. *Vine*, 42(3/4), 416-438.
- Soykan, İ. C. (2019). Provisions of the industrial property law regarding representative (Agent) trademarks and claims based on such provisions. *Annales de la Faculté de Droit d'Istanbul*, 73-107. <https://doi.org/10.26650/Annales.2018.67.0006>
- Vanhonnaeker, L. (2015). What protection against intellectual property rights piracy under international investment law? *Intellectual Property Rights as Foreign Direct Investments*. <https://doi.org/10.4337/9781784712518.00021>
- Yas, N., Al Qaruty, R., Hadi, S. A., & AlAdeedi, A. (2023). Civil Liability and Damage Arising from Artificial Intelligence. *Migration Letters*, 20(5), 430-446.
- Yas, N., Dafri, W., & Rezaei Gashti, Z. (2022). An Account of Civil Liability for Violating Private Life in Social Media. *Education Research International*, 2022.
- Zein Al-Din, Salah, "Industrial and Commercial Property," Dar Al-Thaqafa for Publishing and Distribution, 2010. <https://doi.org/10.37547/tajpslc/volume04issue03-07>
- Zein Al-Din, Salah, "Trademarks Nationally and Internationally," Dar Al-Thaqafa for Publishing and Distribution, Jordan, 2006.
- Zobel, K. (2008). The Famous Marks Doctrine: Can and Should Well-Known Foreign Marks Receive Trademark Protection within the United States. *DePaul J. Art Tech. & Intell. Prop. L.*, 19, 145.
- Zubeir, Hamadi, *Legal Protection of Trademarks*, Al-Halabi Legal Publications, Lebanon, 1st edition, 2012, pp. 386-387.