

EGYPT

Exceptions:

Article 2

Patents shall not be granted for:

- (1) Inventions whose exploitation is likely to be contrary to public order or morality, or prejudicial to the environment, human, animal or plant life and health.
- (2) Discoveries, scientific theories, mathematical methods, programs and schemes.
- (3) Diagnostic, therapeutic and surgical methods for humans and animals.
- (4) Plants and animals, regardless of their rarity or peculiarity, and essentially biological processes for the production of plants or animals, other than micro-organisms, non-biological and microbiological processes for the production of plants or animals.
- (5) Organs, tissues, live cells, natural biological substances, nuclear acid and genome

Limitations:

Article 10

A patent shall confer on its owner the right to prevent a third party from exploiting the invention by any means.

The right of a patent owner to prevent a third party from importing, using, selling or distributing a product shall lapse when he commercialises the product in any country or authorises a third party to do so.

The following shall not be considered as infringements of that right when carried out by third parties:

- (1) Activities carried out for scientific research purposes.
- (2) Where a third party proceeded, in Egypt, in good faith, with the making of a product or use of a process or made serious preparations for such activities prior to the date of an application for patent by another person for the same product or process. The former shall, notwithstanding the grant of patent, have the right to continue with such activities only within his enterprise and without extending the scope of those activities. Such right shall not be assigned or transferred without the other elements of the enterprise.
- (3) Indirect uses of the production process, subject of the invention, in order to obtain other products.
- (4) Use of the invention on a land vehicle, vessel or aircraft belonging to a country or entity member of the World Trade Organisation, or a country that applies reciprocity to Egypt, when such a land vehicle, vessel or aircraft is temporarily or accidentally present in Egypt.
- (5) Where a third party proceeds, during the protection period of a product, with its manufacturing, assembly, use or sale, with a view to obtain a marketing license, provided that, the marketing starts after the expiry of such a protection period.
- (6) Any other acts by third parties, provided that they shall not unreasonably hamper the normal exploitation of the patent, and shall not be unreasonably prejudicial to the legitimate interests of the patent owner taking into consideration the legitimate interests of others.