

**Royal Decree No. 40/2000**  
**Promulgating the Law on the Protection of Geographical Indications**

We, Qaboos Bin Said, Sultan of Oman

After perusal of the Basic Law of the State promulgated by the Royal Decree No. 101/96.

And in accordance with the public interest.

Have decreed as follows:

**1.** The provisions of the attached Law on the Protection of Geographical Indications shall take effect.

**2.** The Minister of Commerce and Industry shall issue the regulations and decisions necessary for the implementation of the provisions of this Law.

**3.** This Decree shall be published in the Official Gazette and shall come into force as from the date of its publication.

Qaboos Bin Said  
Sultan of Oman

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**Law on the Protection of Geographical Indications**

**1.** For the purposes of this Law, a geographical indication shall be an indication which identifies a good as to its origin and geographical environment in any country, region or locality, including natural and/or human factors.

**2.** Competent authorities, natural persons or any interest group of producers or consumers of any natural, agricultural, industrial or handicraft products having a distinctive characteristic or reputation attributable to their geographical origin, and any person trading in such articles shall have the right to enjoy protection under this Law.

**3.—(a)** A geographical indication shall benefit from the protection granted under this Law whether it is registered or not. Where registration is applied for, the geographical indication shall be recorded in the Register of Geographical Indications with the competent administration of the Ministry of Commerce and Industry. The filing of the application, examination, registration and publication procedures and fees shall be prescribed by the Regulations.

*(b)* Protection shall apply against geographical indications which, although literally true as to the region, locality or origin of the good, falsely represents to the public that the good originates in another territory.

(c) In the case of homonymous geographical indications, protection shall be accorded to each indication, subject to the provisions of paragraph (b). Where simultaneous use of such indications is permitted, the director of the competent department of the Ministry of Commerce and Industry shall determine the practical conditions under which the indications will be differentiated from each other, taking into account the need to ensure equitable treatment to the producers concerned and that consumers are not misled.

(d) Producers who carry out their activity in the geographical region determined in the Register only shall have the right to use the geographical indication registered in the trade field with respect to the products mentioned in the Register, provided that those products have the same quality, reputation or other characteristics mentioned in the Register.

**4.** The prescribed protection shall not extend to

(a) geographical indications excluded from the definition in Article 1.

(b) geographical indications contrary to public order or morality.

(c) geographical indications which are not or not anymore protected or which are not used in the country of origin.

**5.** A good may not be designated or presented to the public in a manner which suggests that it originates in a geographical area other than the true place of origin, misleads the public or constitutes an act of unfair competition, including the use of a false geographical indication with a mention of the true place of origin of the good and the use of a geographical indication in translation or accompanied by expressions such as kind, style, imitation.

**6.** Any interested person may, pursuant to Article 2, request that an order be issued by the chief judge of the Commerce Court or a judge designated by him from that Court to take the necessary conservative measures, including in particular, seizure of goods, products, packages, papers or the same.

An action on the merits shall be filed with the competent department of the Commerce Court within fifteen days from the date at which the order was issued, failure of which shall cause the measures to cease to have effect.

**7.** Any person shall have access to the Register provided for in Article 3 of this Law and may obtain extracts from the Register according to such conditions and against such fees as prescribed by the Regulations.

**8.** An applicant for registration may oppose a decision refusing the application before a committee to be formed by decision of the Minister. The procedure for such an appeal shall be determined in the Regulations. The decision of the committee may be the subject of an appeal before the competent department of the Commerce Court within sixty days from the date of notification of the decision of the committee by registered mail.

**9.** Any concerned person may request from the competent department of the Commerce Court to cancel the registration of a geographical indication if it is established that the indication as such is not entitled to protection according to Article 4. The correction of a geographical indication may be requested to make it conform to the truth. Such procedure shall be determined by the Regulations.

**10.** Any earlier continuous use in Oman of a geographical indication relative to a given country shall be deemed legal if effected in good faith and for a sufficient period of time before the entry into force of this Law. The same shall apply to trademarks registered in good faith which are identical with or similar to a geographical indication.

**11.** Any person who intentionally commits any of the acts mentioned in Article 5 of this Law shall be punishable by imprisonment for a period not exceeding two years, a fine not exceeding two thousand rials Omani or both.

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