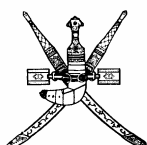


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SULTANATE OF OMAN



SULTAN QABOOS UNIVERSITY



WORLD INTELLECTUAL  
PROPERTY ORGANIZATION

## WIPO INTRODUCTORY SEMINAR ON INTELLECTUAL PROPERTY

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the World Intellectual Property Organization (WIPO)

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and  
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INTELLECTUAL PROPERTY SYSTEM  
IN THE SULTANATE OF OMAN

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## INTRODUCTION

Archeological surveys in Oman continue with a number of specialized scientific missions, several archeological assets were discovered in a number of various sites across the Sultanate, some of which date back to the seventh millennium BC, like the discoveries in Jalan, Bat, Ras Al Had, Samad Al-Shan, etc. presenting decisive evidences on the depth of the Omani civilization and its historical roots.

Although there was systems or laws to protect it, Oman managed to maintain its civilization and culture, however, it was subjected to theft and vandalism, therefore, the protection of the Omani heritage came as a main and distinguished feature since early seventies, at the start of the Omani renaissance.

There are varied aspects of attention to the Omani heritage and intellectual property, starting with the Ministry of Heritage and Culture, to setting 1994 as the Year of Omani Heritage and the promulgation of the Omani Heritage Preservation Law and other IP protection laws, culminating by the formation of the Public Authority for the Handicrafts in March 2003 by the Royal Decree No: 24/03, headed by the first female minister in the Sultanate of Oman. However, the attention given to the Omani culture and civilization achieved by our ancestors did not prevent keeping pace with the new developments and science, based on a clear concept and vision. Thus Oman managed to combine between originality and modernity.

This paper will give a brief outlook on the Intellectual Property System in Oman.

May Almighty God grant us success in our efforts.

**Heritage Protection System**

With the beginning of our glorious renaissance Oman was aware of the importance of setting a system to preserve the intellectual property of the Omani people and protect it from vandalism and the impact of the natural elements, and prevent any action that may lead to its extinction and maintain the cultural and intellectual property in the country through the Omani Heritage Protection Law, 1976, the Manuscript Protection Law, 1977, the Print and Publication Protection Law, 1984, the Censorship Law, 1997, Copy Right Protection law, 1996, followed by the Intellectual Property Right laws when Oman decided to join the World Trade Organization, in accordance with the (TRIPS) agreement. In total, there are eleven laws related to the intellectual property protection in Oman. This focus on the intellectual property, and associated global development, did not present an obstacle to the protection of the Omani heritage, based on the clear vision and wise leadership of His Majesty the Sultan. This was clear in His Majesty's speech on 18<sup>th</sup> November 1980, stressing the "Our real strength does not lie in material prosperity alone. Our strength lies in the great traditions of our glorious Omani culture, and the teachings and laws of our Holy Religion. We must never let an obsession with material things and alien thoughts blind us to this fact. We must equally foster and safeguard our traditional industries so our cultural heritage is handed on intact to generations to come"

Oman's legislation for the protection of its cultural heritage is contained in the National Heritage Protection Law promulgated in 1976. Essentially the principal objectives of this law are first the preservation of the integrity of cultural property located in the country through the prevention of its natural deterioration and by the prohibition of any action that may result to its degradation or alteration. Second by the prohibition or restriction of export of property that may have historical significance.

The National Heritage Protection Law enacted by Royal Decree No. 6/80 goes a long way towards the preservation of national heritage as it covers all kinds of monuments and antiquities, as well as "chattels of cultural properties". The term 'chattels of cultural property' includes archaeological fossil, rare archetypes of flora and fauna, fragments of manuscripts, ancient books, documents and printed matter of special historic, artistic, scientific or literary value as well as traditional style furniture items, painted earthenware, musical instruments, jewelry, precious stones, and weapons.

The aim of the National Heritage Law is the implementation of Oman's obligations as a party to the UNESCO convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property who accession was sanctioned in 1970 by Royal Decree No. 69/77.

**Traditional crafts**

The craft industries were given greater prominence in March 2003 by the issue of Royal Decree No. 24/03 establishing the Public Authority for Craft Industries, and the appointment of Oman's first female Minister as President of a Public Authority. The PACI is responsible for every craft aspect of Oman's craft industries which it aims to conserve as part of the country's traditional trades and vocational sector, while at the same time developing them enabling them to function as productive industries capable of attracting new craftspeople.

Oman has a long tradition of arts and crafts that include indigo dyeing, silverwork, pottery, weaving and textiles, fragrance manufacture, copper work and sweet-making. Oman's traditional artisans still produce excellent handicrafts despite difficult working conditions, competition from cheap foreign-made products and insufficient incentives for them to develop their skills. Oman is anxious to preserve these skills, once handed down families over generations. Omanis are instinctive designers and the traditional curved Omani dagger, or khanjar [*remainder of the article not found*]

### **Oman Literary Society**

The Oman Literary Society Studies the Sultanate's intellectual life, customs, traditions and folklore heritage and is researching the ways in which Oman's towns and cities have shaped the country's history. Seminars on literary scholarly and historical themes were held throughout the year, including one on Omani vernacular poetry, another entitled "Ibra through history", and one on the scholar Ahmed bin Sulaiman bin al Nadhar.

### **Oman Society for Fine Arts**

This society was set up in 1993 to encourage and support budding artists and photographers to develop their talents in modern studios and with the latest materials and equipment. Workshops are conducted regularly by both local and visiting experts, and exhibitions held to display the talents of the members. Members also participate in overseas events in order to broaden their knowledge.

### **Oman Center for Traditional Music**

The Oman Center for Traditional Music established in 1983 by His Majesty Sultan Qaboos bin Said to document, conserve and promote traditional Omani music has documented since its inception more than 80% of Oman's musical traditions including more than 2300 photographs, 580 audiovisual and a large number of sound recordings. The Centre has moreover compiled digitized database of these documentation materials. It takes a comprehensive approach to the documentation of musical traditions because in Oman traditional music is part and parcel of traditional lifestyles, which include healing, fishing, planting and other work techniques. The Center has identified more than 130 different types of traditional music in Oman, which can be classified into four main traditions expressions of Omani song. These are sea and fishing songs, celebration songs, Bedouin traditional music and traditional mountain music. Despite the fact that experts at the Center are of the opinion that the development of new ways of promoting musical heritage in Oman without the consent of the traditional performer violates customary understanding of heritage use, they do not believe that exclusive rights over the reproduction of traditional music should be granted. Nevertheless, they do welcome the granting of performer rights the performers of traditional Omani music.

### **Royal Oman Symphony Orchestra (ROSO)**

In 1985, Sultan Qaboos directed the Royal Guard of Oman to form the Royal Oman Symphony orchestra (ROSO). Although it has no tradition of western classical music, Oman, unlike other countries in the same position, was able to introduce an orchestra composed entirely of its own national musicians after foreign experts were recruited to train them locally. ROSO gave its first public performance in July 1987, just a year after training started. Initially, orchestra members were male, but girls were recruited from 1988 onwards. VIP delegations and distinguished visitors to Oman are greeted by live ROSO performances, and the orchestra stages several public concerts every year, usually at the purpose-built auditorium at the Al Bustan Palace Hotel. The orchestra gave its first European performance in Belgium in October 2000, and overseas performances are becoming a regular part of its schedule.

**Protecting Copyright**

The Copyright Law in the Sultanate aims to protect the rights of artists, creators and producers and to regulate imports for commercial purposes. Under the laws on author's rights and censorship, spot checks are carried out on companies that sell, rent, produce, display or import artistic products and computer programmes.

**Archaeology**

Since the 1970s, teams of archaeologists from all over the world have been working with local groups, and excavations are continuing. Oman is in the process of mapping its existing historical sites, and new ones are still being discovered. There is also a long-term plan to set up a Museum on Archaeological Finds.

**Traditional Medicine Clinic**

The Traditional Medicine Clinic established by his Majesty Sultan Qaboos in 1988 with the aim of conserving Omani national heritage in the field of traditional medicine employs six traditional healers from different regions of Oman to provide free-of-cost medical treatment plant medicines. Each healer keeps his specialized medicinal knowledge secret.

**The Gulf Cooperation council (GCC)**

Folklore Center establishes in 1982 and based in Qatar has compiled extensive collections and databases on folklore expressions to be an intellectual property issue of immediate relevance to folklore documentation projects.

**Directorate of Intellectual Property in Oman**

The Directorate of Intellectual Property is the authority concerned to implement the copy right law, related rights and the industrial property right, the directorate has two divisions:

Industrial property division

Copy right division

Censorship Law:

Ministry of Culture & Heritage

Printing & Publications Law

Ministry of Information

Protection of New Plant Varieties Law

Ministry of Agriculture & Fisheries

**OMAN'S MEMBERSHIP IN INTERNATIONAL ORGANIZATIONS AND TREATIES**

In 1977 Oman joined the UNESCO treaty related to the measures and control of illegal import, export and transfer of cultural property, Royal Decree No: 69/77.

1996, in accordance with the Royal Decree No: 74/96, Oman agreed to join the WIPO, and on 15<sup>th</sup> February 1997 Oman became a member.

1998, in accordance with the Royal Decree No: 63/98, Oman agreed to join the Paris Convention for the protection of industrial property, and Bern convention for the protection of literary and art works, and on 14<sup>th</sup> July 1999 Oman became a member in both the treaties.

2000, Royal Decree No: 112/2000 stipulated Oman's accession to the World Trade Organization (WTO), and on 9<sup>th</sup> November 2000 Oman became a member.

2001, in accordance with Royal Decree No: 37/2001, Oman agreed to join the Patents Cooperation Treaty, and on 26<sup>th</sup> October 2001 Oman became a member. The authorities concerned with the protection of intellectual property within this ministry, and other ministries, are considering several agreements under the WIPO, like the Madrid and Rome agreements, and others, in preparation to join in.

**The Omani laws related to the intellectual property and protection of heritage**

1. Copyright and related rights, Royal Decree No: 37/2000, promulgated on 21 May 2000.
2. Trademarks, data and trade secrets and protection from illegal competition, Royal Decree No: 38/2000 dated 21 May 2000.
3. Industrial designs & modules, Royal Decree No: 39/2000, dated 21 May 2000.
4. Geographical indications protection law, Royal Decree No: 40/2000, dated 21 May 2000.
5. Integrated circuits topography, Royal Decree No: 41/2000, dated 21 May 2000.
6. Patent law, Royal Decree No: 82/2000, dated 23 September 2000.
7. Botanical inventions Protection Law, Royal Decree No: 92/2000, dated 8 October 2000.
8. Printing & publication law, Royal Decree No: 49/84, dated 29 May 1984
9. Censorship law, Royal Decree No: 65/97, dated 5 October 1997.
10. Manuscript protection law, Royal Decree No: 70/77, dated 27 October 1977.
11. National Heritage protection law, Royal Decree No: 6/80, dated 10 February 1980

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