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**To all the Members of the AIPPI - UAE National Group**

**Subject: 2nd Circular/ 2023**

**UAE perspective: Trademark protection in the metaverse**

Dear all,

Happy Chinese New Year!

We take this opportunity to share with you our second circular for this year as prepared by our new member, Samantha Yung, who joined the AIPPI UAE Group this year. This circular should give a very useful update to the IP community as it presents some practical and informative remarks on trademark prosecution in protecting some forms of digital assets.

**Overview:**

With the growing opportunities in the metaverse, brand owners are considering their metaverse strategies and business plans to gain presence in the virtual worlds. Intellectual property protection should form an integral part of any metaverse strategy. In this update, we will explore aspects regarding trademark protection in the UAE for the metaverse. With the announcement of the Dubai Metaverse Strategy in July last year, the UAE aims to support over 40,000 virtual jobs in the metaverse and become one of the top hubs for the metaverse economy. Dubai has also established the regulatory body Virtual Assets Regulatory Authority (VARA), which aims to build the legal framework for digital assets and economy that is crucial to the development of the metaverse space.

In relation to trademark protection, the UAE Trademarks Office ("TMO") has not yet issued any formal practice direction or notice in relation to goods and services relating to the metaverse, digital assets like cryptocurrencies or NFTs to date. The situation is similar with the World Intellectual Property Organisation ("WIPO") regarding the international NICE classification. However, the UAE TMO has accepted various trademark applications in these areas.

***Relevant classes and descriptions for the metaverse accepted in the UAE:***

Based on acceptances in the UAE, the officials have accepted goods and services relating to the metaverse and/or crypto assets in the following **classes 9** (e.g. AR/VR goods, virtual goods for virtual environments), **35** ( e.g. membership in virtual worlds and virtual retail shops), **36** (e.g. financial services related to cryptocurrency or virtual exchanges), **41** (e.g. entertainment services in virtual environment), **42** (e.g. blockchain research and other services) and **43** (e.g. virtual restaurants). The following outlines some descriptions for metaverse-related trademark applications that have been accepted in the UAE in these classes:

**Class 9**: *computer software for use as a virtual asset wallet/digital wallet/ electronic wallet; downloadable cryptographic keys for managing, receiving and spending virtual currencies; downloadable computer software for managing transactions relating to virtual currencies downloadable virtual goods featuring articles of [clothing, footwear, headgear, toys, games, playthings, etc.]; downloadable virtual avatars for use in virtual worlds and virtual environments*

**Class 35**: *membership club services, namely, providing information to members in the field of virtual currencies; provision of an online marketplace for buyers and sellers of virtual goods and services; online retail services for non-fungible tokens and virtual assets; providing an online virtual environment for trading virtual art*

**Class 36**: *virtual currency services; crypto currency trading services; virtual currency exchange services; electronic transfer of crypto assets; electronic transfer of virtual assets; electronic funds provided via blockchain technology; e-wallet payment services; real estate services provided in a virtual world or virtual environment;*

**Class 41**: *entertainment services provided in a virtual world; educational services in the field of cryptocurrencies, virtual assets, tokens, and non-fungible tokens; virtual reality game services; provision of non-downloadable virtual and digital goods for use online and in virtual worlds; provision of non-downloadable virtual avatars for use in virtual worlds and virtual environments; entertainment services, namely, providing online, non-downloadable products and services for use in virtual worlds and virtual environments*

**Class 42**: *providing a secured access, members only website, that gives members the ability acquire non-fungible tokens; designing artwork for use as non-fungible tokens; user authentication services using blockchain technology; blockchain as a service (BaaS); authenticating non-fungible tokens; research in the field of blockchain technology; research in the field of virtual assets, virtual currencies, cryptocurrencies and non-fungible tokens; hosting an online multimedia virtual world and virtual environment in which users can interact*

We anticipate the list will expand as more brand owners seek to protect their trademarks for the metaverse in this region. Please feel free to share any other accepted relevant goods and services to expand our AIPPI UAE knowhow in this area.

For further insights on the metaverse for UAE brand owners, you can access my full article at: [Samantha Article on Metaverse- UAE](https://gowlingwlg.com/en/insights-resources/articles/2023/metaverse-uae-ip-considerations/)

On behalf of the Communications Committee, we would like to thank Samantha for her time in preparing this circular and also Jon Parker for verifying it.

We look forward to working with you on more circulars in the future.

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