



MENA – CLS Project

The Arab Center for the Rule of Law and Integrity (ACRLI) is a regional, non-governmental and not-for-profit organization working to strengthen the rule of law and integrity in the region through research, capacity building, advocacy and knowledge dissemination.

With the support of the Middle East Partnership Initiative (MEPI), ACRLI is implementing the MENA Commercial Law Strengthening Project (MENA-CLS) in four MENA project countries: Lebanon, Tunisia, UAE, and Yemen, during the period of 2008-2010.

Project activities include the preparation of a thematic study for each project country depending on the reform needs and priorities that have been identified in the earlier phase of the project. Each study is expected to focus on a specific commercial law theme with a view to contributing to related reforms through analyzing existing regulatory frameworks and examining the state of implementation. Ultimately, the study shall put forward a series of reform recommendations.

In order to ensure a comprehensive picture, ACRLI will work and coordinate with specialized institutions to develop and implement a user-survey on each theme in the project country; this survey will inform the development of the study, and provide it with primary information on the subject matter.

In the case of Lebanon, the study and the survey will focus on "intellectual property protection".

The target audience of the survey will include four different categories: concerned government officials, members of the business community, members of the legal community, and users from the public.

Your response to the below questionnaire would serve as a main source of information to the drafting process of the thematic national report. Any information that you disclose will remain confidential and shall be used solely for professional purposes.



With the support of the Middle Eastern Partnership



Section 1: Identification Sheet - Interviewer

- | | | | |
|---------------------------|----------------------------|------------------------|-----|
| 1.1. Country: | _____ | 1.2. Country Code: | ___ |
| 1.3. Serial Number: | ___/___/___/ | 1.4. Sub-sample Code: | ___ |
| 1.5. Interviewer Name: | _____ | 1.6. Interviewer Code: | ___ |
| 1.7. Date of completion: | ___/___/2009
DD/MM/2009 | 1.8. Number of visits: | ___ |
| 1.9. Supervisor Name: | _____ | 1.10. Supervisor Code: | ___ |
| 1.11. Data entry officer: | _____ | 1.12. Data entry Code: | ___ |

General comments:

(Please provide any useful information on the interview process: from initial contact until completing the questionnaire)



Section 2: Identification Sheet - Respondent

- 2.1. Name and Title of Respondent: _____
- 2.2. Gender Male
 Female
- 2.3. Address and contacts details: _____
(email, telephone, mobile, address: city, street...etc)
_____ *Business cards are required*
- 2.4. Age of Respondent: less than 24
 [25-34]
 [35-44]
 [45-54]
 55 and above
- 2.5. Highest educational level achieved Doctoral degree (PhD)
 Post-graduate degree(MA/MS/LLM)
 Under-graduate degree (BA/BS/LLB)
 Other
- 2.6. Nationality: _____
- 2.7. Profession: _____
(provide a detailed description)

- 2.8. Years of experience in this field: ____/ years
- 2.9. Sector: Private sector
 Public sector
 Other (NGOs, etc.), specify: _____
- 2.10. Sector of activity of your agency _____
(provide a detailed description)



Section 3: Business/Commercial Laws

3.1. To what extent do you think are people in your country familiar or unfamiliar with Business/Commercial Laws and Regulations?

- Never
- Rarely
- Sometimes
- Often
- Always
- No Answer or don't know

3.2. To what extent are you familiar with Business/Commercial Laws and Regulations in your country?

- Strongly unfamiliar
- Quite unfamiliar
- Neither
- Quite familiar
- Strongly familiar
- No Answer or don't know

3.3. Do you consider your country's Business/Commercial laws to be business-friendly?

- Very unfriendly
- Somewhat unfriendly
- Neutral
- Somewhat friendly
- Very friendly
- No Answer or don't know

3.4. In your opinion, how often are Business/Commercial Laws and Regulations enforced?

- Never
- Rarely
- Sometimes
- Often
- Always
- No Answer or don't know

3.5. To what extent do you agree or disagree with the following statements?

Use the coding system presented in the Show Card #1, here below:

Show Card #1

<i>Strongly disagree</i>	<i>1</i>
<i>Disagree</i>	<i>2</i>
<i>Neither agree nor disagree</i>	<i>3</i>
<i>Agree</i>	<i>4</i>
<i>Strongly agree</i>	<i>5</i>
<i>No Answer or don't know</i>	<i>9</i>



	Statements	Code
3.5.1	Access to information related to Business/Commercial laws and regulations is easy	___/
3.5.2	Interpretations of Business/Commercial regulations are consistent and predictable	___/
3.5.3	Business/Commercial Law reform is a priority for the national government	___/
3.5.4	People are rarely obliged to resort to courts to resolve business disputes	___/

Using the provided show cards (Show Card #2 and #3), please give importance and satisfaction ratings to each of the factors listed in the table below. Please make sure you complete both ratings for each factor, before moving on to the next one (i.e. fill the table row by row).

3.6. To what extent are these factors important for economic growth and development?

Use the coding system presented in the Show Card #2 here below:

Show Card #2

Very low importance	1
Low importance	2
Average importance	3
High importance	4
Very high importance	5
No Answer or don't know	9

3.7. What is your degree of satisfaction of the status of current these factors in your country?

Use the coding system presented in the Show Card #3 here below:

Show Card #3

Very low satisfaction	1
Low satisfaction	2
Average satisfaction	3
High satisfaction	4
Very high satisfaction	5
No Answer or don't know	9

Factors	3.6. Importance	3.7. Satisfaction
1 Cooperation by central/local government with business entities	___/	___/
2 Simplicity of business licensing procedures	___/	___/
3 Transparency of laws and regulations	___/	___/
4 Enforcement of contractual and property rights	___/	___/
5 Customs (signing trade liberalization agreements)	___/	___/
6 Foreign trade regulations	___/	___/
7 Business friendly labor regulations	___/	___/
8 Business friendly environmental regulations	___/	___/
9 The level of income and profit tax rates	___/	___/
10 Simplicity and coherence of tax regulations	___/	___/
11 Controlling unofficial payments to public officials	___/	___/



Section 4: Thematic Section – Intellectual Property Rights Protection in Lebanon

4.1. In your opinion, how important is the protection of Intellectual Property Rights for encouraging investment and growth in Lebanon?

- Very low importance
- Low importance
- Average importance
- High importance
- Very high importance
- No Answer or don't know

4.2. In your opinion, how often are intellectual property rights protection and anti-piracy efforts (e.g. publishing, music, software, trademark, etc.) respected in the following sectors?

Use the coding system presented in the Show Card #4, here below:

Show Card #4

<i>Never</i>	<i>1</i>
<i>Rarely</i>	<i>2</i>
<i>Sometimes</i>	<i>3</i>
<i>Often</i>	<i>4</i>
<i>Always</i>	<i>5</i>
<i>No Answer or don't know</i>	<i>9</i>

	Factors	Code
4.2.1	In Lebanon in general	___/
4.2.2	In Public entities	___/
4.2.3	In Universities	___/
4.2.4	In Entertainment industry	___/
4.2.5	In Software and IT industry	___/
4.2.6	In Publishing industry	___/
4.2.7	In Manufacturing industry	___/
4.2.8	In Law firms	___/

4.3. To what extent do you think are people in your country familiar or unfamiliar with the concept of IPR?

- Strongly unfamiliar
- Quite unfamiliar
- Neither
- Quite familiar
- Strongly familiar
- No Answer or don't know



4.4. To what extent are you familiar with the concept of IPR?

- Strongly unfamiliar
- Quite unfamiliar
- Neither
- Quite familiar
- Strongly familiar
- No Answer or don't know

4.5. How often do users resist enforcement of IPR protection and anti-piracy efforts?

- Never
- Rarely
- Sometimes
- Often
- Always
- No Answer or don't know

4.6.1 In your opinion, where do you classify the IPR legal framework in Lebanon in comparison to Arab/neighboring countries?

4.6.2 In your opinion, where do you classify the IPR legal framework in Lebanon in comparison to industrialized countries?

Use the coding system presented in the Show Card #5 here below:

Show Card #5

<i>Near the bottom</i>	<i>1</i>
<i>Below average</i>	<i>2</i>
<i>Average</i>	<i>3</i>
<i>Above average</i>	<i>4</i>
<i>Near the top</i>	<i>5</i>
<i>No Answer or don't know</i>	<i>9</i>

	Factors	Code
4.6.1	IPR legal framework in Lebanon compared to Arab/neighboring countries	___/
4.6.2	IPR legal framework in Lebanon compared to industrialized countries	___/

4.7. In your opinion, how effective are current government policies in enforcing IPR protection and anti-piracy efforts?

	Factors	Code
4.7.1	Literary and artistic property rights	___/
4.7.2	Industrial property rights	___/



Use the coding system presented in the Show Card #6 here below:

Show Card #6

Very low effectiveness	1
Low effectiveness	2
Average effectiveness	3
High effectiveness	4
Very high effectiveness	5
No Answer or don't know	9

4.8 An IPR protection office was established within the Ministry of Economy and Trade (MoET) in Lebanon.

Please rate your degree of satisfaction regarding the following factors pertaining to this office

Use the coding system presented in the Show Card #3 here below:

Show Card #3

Very low satisfaction	1
Low satisfaction	2
Average satisfaction	3
High satisfaction	4
Very high satisfaction	5
No Answer or don't know	9

	Factors pertaining to IPR protection office	Code
4.8.1	General Performance	___/
4.8.2	Independence from political interventions	___/
4.8.3	Technical competence	___/
4.8.4	Enforcement authority	___/
4.8.5	Human and financial resources	___/
4.8.5	Speed of reaching decisions	
4.8.5	Clarity and transparency of procedures	

Using the provided show cards (Show Card #5 and #3), please give effectiveness and satisfaction ratings to each of the factors listed in the table below. Please make sure you complete both ratings for each factor, before moving on to the next one (i.e. fill the table row by row).

4.9. To what extent are the factors below effective in promoting IPR protection and anti-piracy efforts?

Use the coding system presented in the Show Card #6 here below:

Show Card #6

Very low effectiveness	1
Low effectiveness	2
Average effectiveness	3



<i>High effectiveness</i>	4
<i>Very high effectiveness</i>	5
<i>No Answer or don't know</i>	9

4.10. What is your current degree of satisfaction with each of these factors?
Use the coding system presented in the Show Card #3 here below:

Show Card #3

<i>Very low satisfaction</i>	1
<i>Low satisfaction</i>	2
<i>Average satisfaction</i>	3
<i>High satisfaction</i>	4
<i>Very high satisfaction</i>	5
<i>No Answer or don't know</i>	9

Factors pertaining to IPR		4.9. Effectiveness	4.10. Satisfaction
1	Clarity and transparency of procedures	___/	___/
2	Speed of reaching decisions and verdicts	___/	___/
3	General political willingness to support	___/	___/
4	Consideration of the interests of consumers groups by policymakers	___/	___/
5	Consideration of the interests of business entities by policymakers	___/	___/
6	Presence of specialized court staff and judges	___/	___/
7	Promotion of public awareness	___/	___/
8	Coordination between IPR office and other public institutions	___/	___/
9	Registration fees level	___/	___/
10	Alternative dispute resolutions mechanisms	___/	___/
11	Complementary laws (e.g. consumer's protection law)	___/	___/

4.11. Please give a priority rating to the following IPR enforcement measures?
Use the coding system presented in the Show Card #7 here below:

Show Card #7

<i>Very low priority</i>	1
<i>Low priority</i>	2
<i>Average priority</i>	3
<i>High priority</i>	4
<i>Very high priority</i>	5
<i>No Answer or don't know</i>	9

	Measures	Code
4.11.1	Update and adapt IPR laws and regulations	___/
4.11.2	Strengthen anti-smuggling measures	___/
4.11.3	Anti-piracy efforts and training of enforcement staff	___/
4.11.4	Hotline creation	
4.11.5	Increase the frequency of raids	___/



4.11.6	Organize targeted awareness campaigns	___/
4.11.7	Impose fines on infringers	___/
4.11.8	Impose jail sentences on infringers	___/
4.11.9	Introduce positive incentives (e.g. reduced software prices for SMEs)	___/
4.11.10	Joining the international agreements of IPR protection	

4.12.1 To what extent is joining the World Trade Organization important for economic growth and development in Lebanon?

(use Show Card #2)

___/

4.12.2 To what extent are IPR protection and anti-piracy efforts an important factor for joining the World Trade Organization?

(use Show Card #2)

___/

Use the coding system presented in the Show Card #2 here below:

Show Card #2

Very low importance	1
Low importance	2
Average importance	3
High importance	4
Very high importance	5
No Answer or don't know	9

4.13. In your opinion, IPR protection bilateral and/or multi-lateral agreements result in a net advantage for:

- Counterpart(s) only
- All parties equally
- Lebanon
- No Answer or don't know

4.14. In your opinion, what is the level of economic losses resulting from the infringement of the IPR in Lebanon?

___/

Use the coding system presented in the Show Card #8, here below:

Show Card #8

No losses	1
Minimum losses	2
Average losses	3
High losses	4
Very high losses	5
No Answer or don't know	9

