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The Impact of Patents on the Economic Field

Dr. Sara Benaissa[1]

[1]University Mustapha Stambouli of Mascara, Algeria, E-mail: **sara.benaissa@univ-mascara.dz**

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Abstract:
Industrial property contains several tools. In this study, we focus on patents as an economic tool par excellence, highlighting their position among all intellectual property rights given their widespread nature. This is also because they are granted as a result of human creativity and invention, thereby helping to overcome obstacles and problems in all areas of life through inventions, or enhancing the capabilities of an invention with a new idea.

Furthermore, patents are an important means of finding technical and scientific solutions and identifying methods and approaches that were previously unknown. Consequently, they help to reduce the costs and resources required for economic development. Thus, they confirm their role as an active component of economic development, particularly since they are legally protected and regulated.

Keywords: Patent, intellectual property, industrial and commercial property, economic development.

Introduction

We cannot deny the contribution of the Industrial Revolution, nor the decisive changes it brought about. These changes transformed many aspects of life in countries around the world, particularly as the Revolution marked the beginning of capitalism through the ideas, foundations and principles it produced. This included encouraging inventions and innovations, which people pursued during that period despite

lacking even the most basic rights. The first signs of their protection emerged at this time through the introduction of intellectual property rights, a new category distinct from the previously recognised classifications of rights relating to the financial estate. These were divided into rights in rem and personal rights[1].

Subsequently, a new type of rights emerged: moral rights. These are divided into literary property rights, including copyright and related rights, and industrial and commercial property rights, including rights relating to new creations and distinctive signs. These rights have become the fundamental pillar upon which the economy of every country is built, to the extent that they are now used as a legal criterion for classifying countries as developed or developing.

In order to encourage individuals engaged in intellectual creativity and provide them with legal protection to safeguard their rights, it is essential that the measurement of scientific, technological and industrial superiority be based on invention and innovation. This will enable the law, through its rules and regulatory frameworks, to support progress. Countries wishing to keep pace with global developments must also provide an environment that supports and encourages progress, particularly with regard to investment in productive human intelligence.

A legal system for patent protection increases interest in technical fields and research, thereby contributing to economic growth, as development in this area is linked to scientific and knowledge-based inventions. This creates technology-based industries that influence the national economy, avoiding external dependence and achieving self-sufficiency in this important area.

Accordingly, the impact of patents on economic development is reflected in the outcomes achieved by inventors, which are realised in practice in the form of products entering industrial and commercial fields. These require national and international legal protection, which can only be achieved through an invention that is protected by a patent and affects the economy, thereby protecting the inventor. To what extent can patents affect various economic aspects while ensuring legal protection at national and international levels?

In order to address this research question, we will first acknowledge the importance of this subject, as evidenced by the inventions and innovations encountered in daily life that result from industrial and commercial property tools and their connection to various fields of economic life. In studying this subject, we have adopted a descriptive approach to reach important findings, as well as an analytical approach to examine legal texts and clarify their provisions. The study is divided into two main sections:

The first section addresses the conceptual framework of patents by examining the concept of intellectual property rights and their classifications, as well as defining patents, their types and their conditions.
The second section examines the economic impact of patents, addressing their economic importance and their position in national economies.

Chapter One: The Conceptual Framework of Patents

The laws of most countries have guaranteed rights relating to financial assets, including rights in rem and personal rights, as well as rights relating to intellectual production, human innovations and creations. These rights are known as patents. The aim is to protect inventions that contribute to advancing economic development and benefiting humanity by providing what was previously unavailable in any of the sectors on which human life depends. Therefore, various national and international legislations provide legal rules governing patents and consider them to be one of the components of industrial and commercial property.
To understand the subject of this chapter, it is essential to grasp the concept of intellectual property rights and their classifications, of which patents are a fundamental and integral part.

Section One: The Concept of Intellectual Property Rights and Their Classifications

We shall begin by defining intellectual property as 'what a person owns in terms of intellectual output achieved as a result of mental effort, where such output can be incorporated into tangible objects represented by literary works, copies, or commercial or industrial products, with ownership relating to the information contained in those objects'[2].
Dr Salah Zain al-Din defines it as 'a legal term denoting the specific ideas produced by the human mind and translated into tangible objects'. It encompasses all rights arising from human intellectual activity in artistic, literary, scientific, industrial and commercial fields. Intellectual rights therefore extend to include everything generated by the human mind through intellectual property and mental creativity[3]. These are rights relating to intangible objects and are governed by special laws.
It should be noted that intellectual property is divided into two main categories. The first is copyright, which encompasses rights relating to scientific, literary and artistic works. These are known as literary and artistic property rights, as well as related rights. These encompass all creative or innovative works resulting from lawful human intellectual activity. They are protected by law and are regarded as having financial or literary value. This grants the creator certain rights. They consequently constitute an expression of the individual's personality and literary and moral identity, representing their intellectual

output[4]. The law grants individuals the right to exploit their ideas financially through use, publication or sale.

The second category consists of industrial and commercial property rights. These are divided into rights relating to new creations. This includes rights relating to an invention in terms of its subject matter. Here, the invention concerns the manufacture of specific products and the use of innovative industrial processes[5]. It also includes rights relating to innovations in the form of products and rights relating to distinctive signs. Our study focuses on patents among all these moral rights.

Overall, intellectual property rights constitute a framework that must recognise and protect all moral and literary rights, and prevent infringement through applicable procedures, including administrative regulation, penal deterrence and civil compensation and reparation for damage[6].

Section Two: The Concept of Patents

Having addressed the concepts of intellectual property and intellectual property rights in general, this section defines patents and identifies their types.

First: Definition of a patent

There are numerous definitions of patents. A patent is a certificate granted by the state to an inventor, giving them the right to exploit their invention financially on a exclusive basis for a specified period and under certain conditions[7]. Accordingly, it constitutes consideration granted to the inventor in return for their intellectual and creative efforts.

A patent is also defined as a protection licence granted by the legislator to an inventor for their invention. This establishes their ownership and grants them the right, to the exclusion of others, to exploit and dispose of their patented invention in any way they choose throughout the protection period guaranteed by law, in accordance with the prescribed terms of such exploitation[8]. Thus, we can see that this licence is a key way of proving the existence of the invention and attributing it to the inventor. At the same time, it is a document that provides legal protection.

In this regard, the Algerian legislator defined a patent as a document issued to protect an invention[9]. Article L. 611-10 of the French Intellectual Property Code of 1999 defines a patent as an industrial property title granted by a public authority, which allows the holder to enjoy a temporary monopoly over exploitation. It is an instrument that can be used offensively or defensively by creators and enterprises[10].

Given the variety of industrial and commercial property rights, patents enable their holders to carry out all operations, including the exploitation of the invention.

From the foregoing, we can see that the legal nature of the inventor's right differs from other recognised rights in that it is limited to a specific period. Therefore, the term 'monopoly' is more appropriate than 'right of ownership', since the law restricts the holder's freedom to exercise the right in all its forms, namely exploitation and use. It is an intangible, movable asset that can be transferred by sale or gift, or bequeathed in a will. It may also be mortgaged and seized to settle debts.

Any Algerian citizen or foreign national belonging to a member state of a convention ratified by Algeria may apply for a patent from the National Office of Industrial and Commercial Property, provided all legal procedures have been completed and the relevant conditions fulfilled. The applicant is then granted a legal licence in the form of a patent certificate.

The invention for which a patent is sought must satisfy the inventive step requirement, meaning it must take the form of a new industrial product or a new application of a known industrial idea. It must also be novel, meaning that it must not be known to others.

Second: types of patents

Patents vary according to the aforementioned elements of inventiveness and novelty. An invention may relate to a product or the identification of an object that is already known. It may also consist of adding a new method to the existing methods of producing the same invention, among other forms, which we will address below:

1. Product patent

A product patent refers to the creation of a tangible object that did not previously exist, with characteristics that distinguish it from similar objects[11]. With reference to Articles 128 and 613 of French law, as well as Article 11 of Ordinance No. 03/07, it is provided that: 'Where the subject matter of the invention is a product, third parties shall be prohibited from using the manufacturing process, using the product directly resulting from that process or selling it[12]...'

Accordingly, any third party who does not have the owner's consent is prohibited from manufacturing the product covered by the patent, using the manufacturing process, selling it, offering it for sale or importing it[13].

It is worth noting that pharmaceutical products constitute an invention of a special nature. Even if manufacturing is carried out in small quantities, it constitutes an infringement when undertaken by a third party outside a contractual relationship. As for importation, while the exclusive right provides legal protection for the owner, it nevertheless imposes serious restrictions on economic activity and development in developing countries.

It should be noted that the French legislator addressed product patents in the pharmaceutical field in the 1978 French Patent Act, linking them to the requirement of novelty. This followed the TRIPS Agreement, which required member states of the World Trade Organization to protect pharmaceutical products. In contrast, the Algerian legislator did not address product patents due to international pressure.

2. Manufacturing Process Patent

A manufacturing process patent refers to a situation in which the invention involves developing a new method of producing an existing object[14]. The Algerian legislator has established legal protection for this type of patent under Article 11, Paragraph 2, of Ordinance No. 03/07, which provides: 'Where the subject matter of the invention is a manufacturing process, third parties shall be prohibited, without the consent of the patent holder, from using the manufacturing process, using the product directly resulting from this process, selling it, offering it for sale or importing it for these purposes.'

By doing so, the Algerian legislator has followed the provisions of the Paris Convention, as well as Article 612 of the French Patent Act. Accordingly, the patent holder has broad legal protection with regard to their right to use the manufacturing process, and third parties are prohibited from using it without their consent.

3. Additional or Improvement Patent

This is a patent granted for additions to an invention for which a previous patent has already been granted. Its duration is linked to that of the original patent. Article 15 of Ordinance No. 03-07, which was introduced by the Algerian legislator, provides for this type of patent. It states: 'Throughout the period of validity of the patent, the owner shall have the right to introduce changes, improvements or additions to their invention, provided they comply with the procedures for filing an application set out in Articles 20 to 25 below. These changes, improvements or additions shall be evidenced by a certificate issued in the same form as that applicable to the main patent and shall have the same effect...'

Once the holder of the additional patent has fulfilled the necessary obligations, they are granted an additional right, effective from the filing date until the original patent expires, unless the holder converts their application into a new patent application, which takes retroactive effect from the date of application for the additional certificate. This grants the holder an exclusive right for a period of 20 years, calculated from the filing date of the application pursuant to Article 9 of Ordinance No. 03-07 on patents.

In the pharmaceutical field, however, the French legislator established a supplementary licence rather than an additional one, lasting seven years, since this type of product requires a testing period for results to become apparent, generally continuing throughout the first ten years[15].

4. Import Patent

An import patent is granted to anyone who applies for one, regardless of their relationship with the inventor, and without prior examination. It gives the holder the exclusive right to sell items covered by the patent's protection certificate[16], but does not entitle the holder to prevent others from importing, selling or using similar products. Therefore, an import patent provides its holder with legal protection in the form of the right to exploit the invention, but does not grant an exclusive monopoly over its exploitation.

Notably, the Algerian legislator has not addressed this type of patent, despite its importance in foreign trade. However, the legislator has addressed import licences granted by the Ministry of Trade.

Third: Conditions for Patents

In order to obtain a patent that guarantees the right to exploit and dispose of an invention, thereby ensuring legal protection, an invention must satisfy a set of conditions. Additionally, the inventor must follow the necessary legal procedures for obtaining a patent. These conditions are stipulated in most national and international legislation and in the various conventions relating to intellectual property.

A. Substantive conditions for an invention

For an invention to qualify for a patent, a set of substantive conditions relating to the invention itself must be fulfilled. These conditions were established by the Algerian legislator under Ordinance No. 03-07 on patents, in line with the World Intellectual Property Organization.

1. The Condition of Existence

An examination of the legal provisions governing industrial property reveals that the national legislator has not expressly stipulated this condition. However, logically, the granting of legal protection presupposes the existence of the rights to be protected, which cannot be conceived unless the subject matter of the protection certificate already exists. This position is also adopted by legal doctrine, which states that the source of the right is not creativity in general, but rather the existence of the right for which protection is sought.

2. The invention must not be contrary to public order or public morality.

Certain inventions cannot be patented because they are illegal. The national legislator has adopted this approach in accordance with other international legislation, as well as Article 6ter of the Paris Convention. However, the concept of public order differs from one country to another.

Article 8 of Ordinance No. 03-07 identifies a number of inventions that lack lawfulness, and also excludes patents contrary to public order and morality, as these interests take precedence over the inventor's private interests. Examples include inventions such as machines for counterfeiting money, drugs intended to

induce abortion, and methods for preserving soil using harmful chemicals[17]. Consequently, no patent is granted for such inventions and they do not enjoy legal protection.

Similarly, with regard to plant varieties, the provisions of Article 8 of the national patent legislation exclude these innovations from legal protection. This is contrary to the approach adopted by the French legislator through the patent known as brevetabilité, which is governed by legislation adjacent to patent law[18]. However, the exclusion of plant varieties from the scope of protection does not mean that they are not governed by a specific legislative framework, particularly given the Algerian State's ongoing desire to join the World Trade Organization.

To this end, the legislator has enacted specific legislation on seeds, seedlings and the protection of plant varieties. This regulatory framework may have resulted from international pressure, most notably from the agreements to which Algeria has acceded. Article 27 of the TRIPS Agreement requires Member States to provide legal protection for plant varieties, either through patents or under a specific regulatory framework. The Egyptian legislator has adopted a similar position in Articles 189–206 of Document No. 72/1975, which exclude plant varieties from the scope of protection under the patent instrument provided for in Article 2 of Document No. 82/2002. This is consistent with the UPOV Convention. An example of this can be found in a case concerning insect-resistant plants brought before the European Patent Office, in which the patent was opposed while some parties argued that the consequences of leaving the plants exposed in the environment would be unpredictable[19].

Some inventions are also excluded from protection on the basis of their purpose, since their intended use is for scientific experiments. The term 'scientific research purposes', as used by the national legislator, clarifies this. Experiments are therefore important in the fields of pharmaceuticals and technology, particularly with regard to pharmaceutical products.

Among the inventions excluded from legal protection under patent law are principles, theories and discoveries, as set out in Article 7 of Ordinance No. 03-07. Methods of treating the human or animal body are also excluded to avoid risks to public health. This exclusion applies to both the final product and the industrial process. Computer programs and innovations of a purely ornamental nature are also excluded, as is the presentation of information given its abstract nature.

3. The Condition of Novelty

Novelty involves introducing something new that did not previously exist, or making new additions to an existing invention. It is a prerequisite for obtaining a patent, as it gives the patent holder the exclusive right to exploit the idea, either directly or indirectly, in exchange for disclosing it to the public[20].

Novelty is required in the means and methods, as well as in the industrial products themselves. The invention must be based on an idea that is genuinely new and has not previously existed, while respecting the principle of patent independence stipulated in the Paris Convention[21]. The Algerian legislator has expressly defined the condition of novelty in Article 4 of Ordinance No. 03-07, which states: 'An invention shall be considered new if it is not included in the state of the art. The state of the art comprises everything made available to the public anywhere in the world through written or oral description, use or any other means before the application for protection is filed or priority is claimed."

It should be noted that the novelty referred to here is absolute novelty rather than relative novelty.

4. The invention must result from an inventive activity.

This means that the invention must be distinguished by an original inventive idea that leads to industrial progress beyond what was previously known[22]. Consequently, it must not be readily apparent to someone with expertise in the relevant field.

5. Industrial applicability of the invention

In order to be eligible for legal protection, an invention must be capable of being used in industry and agriculture. An invention becomes eligible for protection under a patent whenever it is capable of industrial application.

B. Formal Conditions for Obtaining a Patent

These are administrative procedures that anyone wishing to obtain a patent for their invention must follow. A patent enables its holder to carry out general operations and exploit the invention. These conditions have been established through international conventions and affirmed by domestic legislation in most countries, with the aim of ensuring legal protection for the inventor. Such protection is not achieved solely through fulfilling substantive conditions, but also requires compliance with formal conditions.

1. Filing the application

The first step an inventor takes to protect an invention through a patent is to file an application. This application may be submitted by the inventor personally or by their representative. In Algeria, the competent administrative authority is the National Institute of Industrial and Commercial Property, headquartered in Algiers with offices in some wilayas.

The application must be accompanied by the documents specified in the patent laws and regulations, namely Ordinance No. 03-07. According to Article 9 of this Ordinance, personal exploitation of the right to legal protection is established upon filing the application. Please note that the period from the filing date until the patent is granted allows for dual exploitation. Therefore, while the inventor is exploiting the

invention, another person may also do so, provided they act in good faith. This is set out in Article 5ter of the Paris Convention and Article 28 of the TRIPS Agreement, and was adopted by the legislator in Article 11 of Ordinance No. 03-07. An application may also be filed by a legal person, in which case the company's name and address must be provided.

2. Examination of the invention

Simply filing an application is not enough to obtain a patent without observing the legal requirements governing the form and substance of the application, as well as the examination procedure. Examination may be preliminary or otherwise, and the examination system may be restricted. Each legal system has adopted one of these approaches.

2.1 The preliminary examination system

Under this system, the competent administrative authority responsible for receiving applications examines them from both substantive and formal perspectives. The invention is then submitted to specialised experts to determine its suitability for industrial exploitation[23].

This system is characterised by eliminating non-serious inventions from the outset of the evaluation process. However, it is criticised for taking a long time to decide on applications due to the precise experiments and scientific studies conducted on the invention.

2.2 The Non-Preliminary Examination System

This system is based on the absence of a preliminary examination of applications for patents by the relevant administrative authority. The authority's role is limited to reviewing and verifying that the formal procedures have been fulfilled. The advantage of this system is that applications are decided upon quickly[24]. However, it is criticised because its decisions are legally weak, as they allow interested parties to seek the invalidation of the patent in court on the grounds that the substantive conditions have not been met[25].

2.3 The Mixed System

This system is also referred to as the intermediate system because the administrative authority examines patent applications solely from a formal perspective, without considering their substantive aspects. The administration then publishes the patent application to inform third parties of the invention and enable them to review the patent. After this, it establishes a period during which objections may be submitted.

Based on the above-outlined examination systems, the Algerian legislator has adopted the non-preliminary examination system with regard to patents[26].

3. Issuance and delivery of the patent

Once all the aforementioned procedures have been completed, the applicant is entitled to obtain ownership of the patent.

- Issuance of the patent: Once the person entitled to the patent has been identified, the relevant authority will issue a decision to that effect. This decision includes details such as the patent number, the inventor's name, and the patent owner's name, nationality, and place of residence. If the owner is a company, the address, name, and head office must be indicated. The decision also includes the title of the invention, the duration of protection and its start and end dates. Patent protection is granted for a period of 20 years, beginning on the date the application to register the invention is filed.

Chapter Two: The Impact of Patents at the Economic Level

Patents encompass numerous objectives, making them instruments with benefits and purposes across various fields. These include objectives specific to the holder of intellectual property rights, who can invest in their work or creation and generate financial returns. The same applies to an invention protected by law, which is considered a project for investment purposes. Accordingly, the world's largest economies rely on patents to stimulate economic growth. This is what we will address in this chapter.

Section One: The Economic Importance of Patents

Patents play a significant role in economic activity. They are one of the most important elements in the development framework for improving the economy's commercial and industrial performance, including that of companies and small and medium-sized enterprises. They represent an asset that develops economic activity and increases the pace of the production cycle until the consumer receives the product, whether they are an ordinary consumer or an electronic consumer.

Patents are a powerful instrument used by developed countries to attain global dominance and establish economic hegemony. Through this, they exert control over developing countries to the extent that they impose conditions for them to join the World Trade Organization. Developed countries also exclude these countries from the group of major powers that benefit from the intersection of financial and creative/intellectual power, which ultimately leads to successful capital investment projects.

Accordingly, patents are of paramount importance in the economic field as they serve as an indicator of enterprise competitiveness in the economic arena. This is achieved by establishing their position in various sectors, such as technology, which generates substantial revenues through technology transfer contracts.

On the other hand, the exclusive rights and monopolistic power enjoyed by patent owners and holders provide them with the necessary legal protection and serve as an incentive to improve and develop research. These are considered indicators of economic development. This exploitation represents an

investment in an individual's efforts from an economic perspective, with the aim of generating financial returns. Such exploitation may take place personally, through voluntary assignment or by operation of law, for example through contractual arrangements resulting from the failure to exploit the patent. This refers to compulsory licences.

A compulsory licence is a privilege granted by law to a specific entity, enabling it to grant a third party the right to exploit a patent, without the consent of the patent holder, when certain conditions are met, in exchange for compensation that the licensee is required to pay to the patent holder[27]. According to Article 5, paragraph 4, of the Paris Convention, one of its characteristics is that it is a non-exclusive commercial contract. This stipulates that a compulsory licence may not be granted subject to an exclusivity condition, since the right remains vested in the owner.

Accordingly, compulsory licensing of patents serves the public interest. This is provided for in Article 8 of the TRIPS Agreement, which recognises the right of Member States to adopt the necessary measures to serve the public interest in sectors vital to economic and technological development. Despite Algeria's non-accession to this Agreement, the national legislator adopted this approach, as stipulated in Article 49 of Ordinance No. 03-07. This article provides that the minister responsible for industrial property may grant a compulsory licence for the benefit of a state service or a third party designated by the minister in respect of a patent application in the following cases:

- When required by public or private interests, national security, nutrition, health or national economic development, particularly if the price of a patented pharmaceutical product is excessive compared to average market prices.
- When a judicial or administrative authority deems that the patent holder or licensed user is exploiting the patent in a manner that violates competition rules, and the minister responsible for industrial property deems that exploitation of the patent under this provision would put an end to such conduct.

From this perspective, it can be said that patents are a tool for increasing economic growth, regardless of the circumstances of their exploitation. Their presence in a company or economic institution has a clear developmental impact, promoting the institution's competitiveness in the market through improved production quality and efficiency, thereby reducing costs and avoiding imports.

Section Two: The Reality of Patents in National Economies

Reliance on human capabilities in intellectual and technological creativity and invention has created a point of convergence with financial resources in advancing the economy, extending even to technology transfer contracts that are spreading throughout the world. Technological development and innovation are

important factors in competitiveness and productive activity. A country's reliance on them can significantly impact its economy and all its manifestations in practice, as is evident in developed countries that have come to rely on them in every field. A country's economic development can only be assessed using specific indicators based on scientific, creative and technological progress, which can only be achieved through reliance on patents.

In addition, the interaction between patents and economic development is evident in the strategies of the largest and most innovative companies, which dominate economic activities thanks to their ability to compete in product markets[28], a capability stemming from the exclusive rights provided by patents.

The world's largest economies also attach considerable importance to patents, establishing markets and electronic platforms dedicated to trading this intellectual property capable of industrial application. These economies also seek to connect scientific research centres with companies and investors who wish to acquire and distribute the resulting products in exchange for financial returns for the owner.

As for Algeria's position on patents, the Algerian state currently places great importance on them. This is the result of repeated attempts to support this type of innovation through legal regulations, ratification of international conventions and training and qualification of experts and technicians in the industrial field. However, technological innovations, intellectual capacities and inventions are under considerable pressure in terms of support and management.

This is reflected in numerous indicators, the most important of which are the Technology and Innovation Support Centres. These centres aim to transform creative ideas into investment projects and establish links between universities and businesses. This involves integrating researcher-inventors into scientific and technological research laboratories at various universities across the country to facilitate the transition from institutes and universities to industrial production. This supports national economic growth and enables innovators in various institutions to advance the national economy by becoming more competitive. This is all accompanied by the provision of financial, legal and reform-oriented support through mechanisms such as privatisation, as well as the establishment of small and medium-sized enterprises, start-ups and self-employed businesses. These measures create a favourable environment for patents, stimulating economic activity and promoting reliance on sources of financing other than the hydrocarbon market.

It is crucial for technically trained entrepreneurs, the most innovative group, to register their inventions. Furthermore, awareness of and investment in scientific and technological research and industrial development has increased. The current situation presents numerous challenges and issues for the Algerian

state and other developing countries in their efforts to achieve higher levels of economic development. This requires the formulation of a sound intellectual property rights policy and the design of optimal systems for protecting patent rights, in line with the country's level of development and its capacity to use and develop technology. It also requires them to benefit from and protect the potential of latent innovation in order to generate value from intangible assets[29].

Conclusion:

This study has led us to conclude that the role of patents as an economic asset, as set out in international conventions and reflected in each country's domestic legislation, cannot be denied. This is due to their emergence following the Industrial Revolution. The impact of patents on the economic sphere is evident across various industrial and commercial sectors.

We cannot deny the important role of patents in increasing productivity in technological and industrial fields. A patent is an intellectual product that can be applied to any material in an industrial context. In recent years, the Algerian state has placed great importance on inventors, particularly those working in technological institutes and scientific laboratories at universities across the country. The state is making considerable efforts to establish links between researcher-inventors and economic enterprises, as well as providing financial support and offering scientific training opportunities abroad to improve the skills of national researcher-inventors.

Based on these findings and the conclusions reached, we have formulated a set of recommendations, summarised as follows:

- A patent can only be obtained by complying with a set of necessary conditions and procedures, which provide the owner with the required legal protection.
- Patents hold a significant position in the international arena, as well as having legal status at the national level.
- Patents can advance the national economy by leveraging creative capabilities and providing financial resources to drive economic progress.
- The national legislator should facilitate procedures for inventors and expedite the examination of their applications.
- Innovators and inventors must receive attention and support to achieve competitiveness in the economy.

- A legal framework should be established specifically for employee inventions and the legislative deficiency concerning free inventions should be addressed since they fall outside the contractual framework.
- Effective mechanisms should be established to deter counterfeiters and parties acting in bad faith, and to ensure the necessary protection for inventors.

List of Sources and References

First: Legislation

- Ordinance No. 03-07 of 19 July 2003, concerning patents, Official Gazette No. 44, dated 23 July 2003.

Second: Books

- Khalid bin Akil al-akil, The Legal Protection of Patents and Industrial Designs, 1st edition, Naif Arab University for Security Sciences, Center for Studies and Research, Riyadh, 2004.
- Samir Jamil Hassan al-Fatlawi, Intellectual Property under Algerian Laws, 1988 edition.
- Said bin Abdullah bin Hamoud al-Maʿshari, Industrial Property Rights, Dar al-Jamiʿa al-Jadida, Azarita, 2010.
- Samiha al-Qalyoubi, Industrial Property, 10th edition, Dar al-Nahda al-Arabiyya, 2016.
- Salah Zinedine Introduction to Intellectual Property: Its Origin, Concept, Scope, Importance, Legal Characterization, Regulation, and Protection, 1st edition, Jordan, Dar Al-Thaqafa for Publishing and Distribution, 2004.
- Abd al-Rahim Antar Abd al-Rahman, Patents and the Criteria for Their Protection, Dar al-Fikr al-Jamiʿi, Alexandria, 1st edition, 2009.
- Carlos M. Correa, Intellectual Property Rights, the World Trade Organization and Developing Countries: The TRIPS Agreement and Policy Options, Dar al-Marrikh Publishing, Riyadh, Kingdom of Saudi Arabia, 2002.
- Klaners Feldman, The International Invention Guide, Kuwait University Publications.
- Muhammad Anwar Hamada, The Legal Framework of Patents, Industrial Drawings, and Industrial Designs, Dar al-Fikr al-Jamiʿi, Egypt, 2002.
- Muhammad maheddine Awad, Intellectual Property Rights, Their Types, and Their Legal Protection, 1st edition, Naif Arab University for Security Sciences, Center for Studies and Research, Riyadh, 2004.
- Mouayed Zaidan, Ali Jasim, Zuhair al-Harh, and Amal Sharba, Intellectual Property Rights, Syrian Virtual University, n.d.

- Naim Maghbghab, Patents: Industrial and Commercial Property—A Comparative Law Study, 1st edition, 2003, Al-Hasan Publications.
- Nasr Abu al-Futuh Farid al-Hasan, Protection of Intellectual Property Rights in the Pharmaceutical Industries: A Comparative Study, 2005 edition.
- Houda Jaafar Yacin al-Musri, Compulsory Licensing for the Exploitation of Patents: A Comparative Study, Dar al-Safa Publishing, n.d.
- Yusria ʿAbd al-Jalil, Rights of Patent and Utility Model Holders, Mansha'at al-Maʿarif, Alexandria, 2005.

Third: Scientific Articles

- Bekadar Kamal and Musaddaq Kheira, "The Legal Regulation of Patents through Substantive Conditions," Al-Rashidiyya Journal, Year 1, Issue 02, June 2010.
- Bekadar Kamal, "The International Legal Regulation of Industrial Property and Its Impact on the Market Economy," Algerian Journal of Economics and Management, Issue 02, March 2011.
- Zouaoui Rabah, "The Relationship between Patents and Economic Development and Their Impact on Developing Countries," Tabna Journal of Academic Studies, 2021, Vol. 4, Issue 02, Special Issue.
- Francis Gurry, Report of the Director General of the World Intellectual Property Organization: The Economics of Intellectual Property—Old Views and New Evidence, Chapter Two, WIPO Economics and Statistics Series, 2011.
- Nabil Wannoughi, "The Legal Framework of Patents under Algerian Legislation," University of Algiers Research, Issue 10, Part Two.

Footnotes:

[1]- Beqadar Kamal, "The International Legal Regulation of Industrial Property and Its Impact on the Market Economy," Algerian Journal of Economics and Management, Issue 02, March 2011, p. 46.
[2]- Khalid bin Aqil al-Aqil, The Legal Protection of Patents and Industrial Designs, 1st edition, Naif Arab University for Security Sciences, Center for Studies and Research, Riyadh, 2004, p. 145.
[3]- Salah Zain al-Din, Introduction to Intellectual Property: Its Origin, Concept, Scope, Importance, Legal Characterization, Regulation, and Protection, 1st edition, Jordan, Dar Al-Thaqafa for Publishing and Distribution, 2004, p. 25.
[4]- Muhammad Muhyi al-Din Awad, Intellectual Property Rights, Their Types, and Their Legal Protection, 1st edition, Naif Arab University for Security Sciences, Center for Studies and Research, Riyadh, 2004, p. 13.
[5]- Samiha al-Qalyubi, Industrial Property, 10th edition, Dar al-Nahda al-Arabiyya, 2016, p. 09.
[6]- Muayyad Zaidan, Ali Jasim, Zuhair al-Harh, and Amal Sharba, Intellectual Property Rights, Syrian Virtual University, n.d., p. 22.
[7]- Samiha al-Qalyubi, same reference, p. 55.
[8]- Yusria ʿAbd al-Jalil, Rights of Patent and Utility Model Holders, Mansha'at al-Maʿarif, Alexandria, 2005, p. 13.
[9]- Article 2, Paragraph 2, of Ordinance No. 03-07 of 19 July 2003, concerning patents, Official Gazette No. 44, dated 23 July 2003.
[10]- Nabil Wannoughi, "The Legal Framework of Patents under Algerian Legislation," University of Algiers Research, Issue 10, Part Two, p. 202.

[11]- Nasr Abu al-Futuh Farid al-Hasan, Protection of Intellectual Property Rights in the Pharmaceutical Industries: A Comparative Study, 2005 edition, p. 284.
[12]- ʿAbd al-Rahim Antar ʿAbd al-Rahman, Patents and the Criteria for Their Protection, Dar al-Fikr al-Jamiʿi, Alexandria, 1st edition, 2009, pp. 91–93.
[13]- ʿAbd al-Rahim Antar ʿAbd al-Rahman, same reference, pp. 44–45.
[14]- Nasr Abu al-Futuh Farid al-Hasan, previous reference, p. 286.
[15]- Naim Maghbghab, Patents: Industrial and Commercial Property—A Comparative Law Study, 1st edition, 2003, Al-Hasan Publications, p. 90.
[16]- Bekadar Kamal and Musaddaq Kheira, "The Legal Regulation of Patents through Substantive Conditions," Al-Rashidiyya Journal, Year 1, Issue 02, June 2010, p. 243.
[17]- Klaners Feldman, The International Invention Guide, Kuwait University Publications, p. 22.
[18]- Bekadar Kamal and Musaddaq Kheira, previous reference, p. 235.
[19]- Carlos M. Correa, Intellectual Property Rights, the World Trade Organization and Developing Countries: The TRIPS Agreement and Policy Options, Dar al-Marrikh Publishing, Riyadh, Kingdom of Saudi Arabia, 2002, p. 94.
[20]- Samir Jamil Hassan al-Fatlawi, Intellectual Property under Algerian Laws, 1988 edition, p. 357.
[21]- Bekadar Kamal, previous reference, p. 48.
[22]- Nabil Wannoughi, previous reference, p. 208.
[23]- Said bin Abdullah bin Hamoud al-Maʿshari, Industrial Property Rights, Dar al-Jamiʿa al-Jadida, Azarita, 2010, p. 122.
[24]- Said bin Abdullah bin Hamoud al-Maʿshari, same reference, p. 121.
[25]- Muhammad Anwar Hamada, The Legal Framework of Patents, Industrial Drawings, and Industrial Designs, Dar al-Fikr al-Jamiʿi, Egypt, 2002, p. 36.
[26]- Article 31 of Ordinance No. 03/07 concerning patents, Official Gazette No. 44.
[27]- Houda Jaafar Yacin al-Musri, Compulsory Licensing for the Exploitation of Patents: A Comparative Study, Dar al-Safa Publishing, n.d., p. 26.
[28]- Francis Gurry, Report of the Director General of the World Intellectual Property Organization: The Economics of Intellectual Property—Old Views and New Evidence, Chapter Two, WIPO Economics and Statistics Series, 2011, p. 88.
[29]- Zouaoui Rabah, "The Relationship between Patents and Economic Development and Their Impact on Developing Countries," Tabna Journal of Academic Studies, 2021, Vol. 4, Issue 02, Special Issue, pp. 214–215.