

Combined Review Report

Paper: Legal Basis of Trademark Protection between Priority of Use & Privilege of Registration: A Comparative Study regarding

Date of the report: October 13, 2026

Journal: Corporate Law and Governance Review

1) Checklist of the paper review criteria (first reviewer)

Please, step-by-step follow each criterion and mark an appropriate box to evaluate the paper (1 – the lowest score; 3 – highest score)

Paper review criteria	1	2	3	I am not sure
Problem Statement, Conceptual Framework, and Research Question				
The problem statement is clear and well articulated			+	
The conceptual framework is explicit and justified		+		
The research question (research hypothesis where applicable) is clear, concise, and complete		+		
Reference to the Literature and Documentation				
The literature review is up-to-date		+		
The number of references is appropriate and their selection is judicious		+		
Research Design				
The research design is defined and clearly described, and is sufficiently detailed to permit the study to replicated				
The design has internal and external validity, potential confounding variables or biases are addressed				
Instrumentation, Data Collection, and Quality Control				
The development and content of the instrument are sufficiently described or referenced, and are sufficiently detailed to permit the study to be replicated				
The data set is sufficiently described or referenced				
Presentation of Results				
Results are organized in a way that is easy to understand			+	
The results are complete		+		
Discussion and Conclusion: Interpretation				
The conclusions are clearly stated			+	
The conclusions follow from the design, methods, and results		+		
The study limitations are discussed	+			

2) Checklist of the paper review criteria (second reviewer)

Please, step-by-step follow each criterion and mark an appropriate box to evaluate the paper (1 – the lowest score; 3 – highest score)

Paper review criteria	1	2	3	I am not sure
Problem Statement, Conceptual Framework, and Research Question				
The problem statement is clear and well articulated		+		
The conceptual framework is explicit and justified		+		
The research question (research hypothesis where applicable) is clear, concise, and complete		+		
Reference to the Literature and Documentation				
The literature review is up-to-date		+		
The number of references is appropriate and their selection is judicious	+			
Research Design				
The research design is defined and clearly described, and is sufficiently detailed to permit the study to replicated				
The design has internal and external validity, potential confounding variables or biases are addressed				
Instrumentation, Data Collection, and Quality Control				
The development and content of the instrument are sufficiently described or referenced, and are sufficiently detailed to permit the study to be replicated				
The data set is sufficiently described or referenced				
Presentation of Results				
Results are organized in a way that is easy to understand			+	
The results are complete		+		
Discussion and Conclusion: Interpretation				
The conclusions are clearly stated		+		
The conclusions follow from the design, methods, and results		+		
The study limitations are discussed	+			

3) Major issues to comment in narrative form (combined from both reviewers)

Below you are free to address comments to the authors. You are free to choose any points below to comment or leave some of them without comments

1) Writing – Is English clear and concise?

English of the paper should be improved by the journal office team

2) Title – Is it specific and reflecting the content of the manuscript?

The title is incomplete in its current form, ending with “A Comparative Study regarding.” It should be revised to clearly identify the jurisdictions or the specific legal question examined.

3) Abstract – Is it brief and describing the purpose of the paper?

The abstract is excessively descriptive and should more clearly communicate the research gap, methodology, principal findings, and original contribution.

4) Introduction and Literature review

The organization is inconsistent. The manuscript introduces “1. Previous Studies and Theoretical Framework” but then proceeds to subsection “2.1 Priority of Use in Legal Jurisprudence.”

The brief description of the paper structure should be written at the end of the paper Introduction.

The structure of the paper should be improved. We expect the following the entire content of the paper to meet the scholarly structure: 1 – Introduction; 2 – Literature review; 3 – Research methodology; 4 – Research Results; 5 – Discussion of the results; 6 – Conclusion. All sections and subsections should be numbered accordingly. The recent paper context can be easily placed within this structure.

The author should expand the engagement with contemporary peer-reviewed research and distinguish academic sources from professional legal commentary and media publications.

5) Methodology

I see the manuscript presents itself as a comparative legal study, but the comparative component is insufficiently systematic. While the UAE and Egypt are identified as central jurisdictions, Jordanian and Iraqi legal provisions are also discussed without a clear explanation of why these jurisdictions were selected. The author should establish explicit comparative criteria, including the legal nature of trademark registration, recognition of prior use, conditions for cancellation, limitation periods, protection against bad-faith registration, and remedies available to unregistered trademark owners. A structured comparison would substantially improve the methodological transparency and academic value of the manuscript.

6) Figures

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7) Tables

-

8) Results

The manuscript examines a well-established debate concerning whether trademark ownership derives primarily from actual use or official registration. Although this is an important legal question, the paper does not clearly explain what new theoretical, doctrinal, or practical contribution it makes to existing scholarship. The author should specify which unresolved issue in the current literature is being addressed and explain how the analysis differs from previous examinations of the UAE trademark system. In particular, the study should identify whether its principal contribution concerns the interpretation of Federal Decree-Law No. 36 of 2021, recent judicial developments, comparative legal principles, or proposed legislative reforms.

The discussion of Federal Decree-Law No. 36 of 2021 is central to the manuscript. However, several legislative provisions are summarized without sufficiently examining their precise legal implications. For example, the paper repeatedly characterizes registration as a declaratory rather than constitutive mechanism. This conclusion requires a more detailed examination of the relevant statutory provisions and their interaction with judicial interpretations. The author should distinguish more carefully between the acquisition of trademark rights, presumptions of ownership, enforceability against third parties, and the legal grounds for challenging registration. These concepts should not be treated as interchangeable.

The Results and Discussion section primarily restates the manuscript's central argument that trademark protection in the UAE combines priority of use and registration. However, the section does not sufficiently distinguish between findings derived from statutory analysis, judicial decisions, and comparisons with other jurisdictions. The author should reorganize this section around several clearly identified findings, each supported by specific legislative provisions or judicial evidence. The discussion should explain the implications of these findings for existing legal scholarship and identify areas in which the UAE approach differs meaningfully from the other legal systems examined.

Numerous footnote numbers appear in the manuscript without corresponding substantive footnote content. These should be completed or removed.

9) Conclusion

At the end of the paper Conclusion the study limitations should be mentioned.

It seems the manuscript repeatedly argues that continuous registration and use for five years may establish legal immunity against challenges based on prior use. At the same time, it presents bad-faith registration as an exception capable of overcoming this limitation. Although the distinction is important, the manuscript does not adequately identify the statutory and judicial foundations for each proposition. The author should clarify the legal conditions governing the five-year period, the significance of the registrant's good faith, and the circumstances under which the protection of registration may be challenged after the relevant period. The paper should also distinguish limitation rules from acquiescence and other legal mechanisms that may affect trademark disputes.

11) References

Several references lack complete bibliographic information, including publication details, page numbers, and sufficiently precise references to legal and judicial materials.

Decision about the paper: Revise the paper