

13.07.2010

**DECREE OF THE PRESIDENT OF THE PRESIDENT OF AZERBAIJAN
On the application of the law on trademarks and geographical indications of the
Republic of Azerbaijan**

In connection with the law on trademarks and geographical indications of the Republic of Azerbaijan becoming effective, in order to provide the application of the Law, I hereby resolve:

1. The Cabinet of Ministers of the Republic of Azerbaijan within two months shall:
Present suggestions for the adaption of the effective legislative acts with the law trademarks and geographical indications to the President of the Republic of Azerbaijan;
Provide the adjustment of the normative legal acts of the Cabinet of Ministers and corresponding executive power authorities and inform the president of the Republic of Azerbaijan about it;
Develop draft legislative act defining the types of responsibilities for the breach of the law on trademarks and geographical indications of the Republic of Azerbaijan and present to the President of the Republic of Azerbaijan;
Provide the development and approval of the relevant regulatory acts on the issues belonging under the competences of the Cabinet of Ministers of the Republic of Azerbaijan as provided by the 2nd paragraph of this Decree;
Within the limits of its power, settle other issues arising from the Law on trademarks and geographical indications of the Republic of Azerbaijan.

2. To be defined that :

Competences of the "relevant executive power authorities" indicated in paragraph g of the first part of the Article 5, part 14 of the Article 9, first part (in first case) of the Article 11, part 5 of the Article 17, part 6 of the Article 19 of the law on trademarks and geographical indications of the Republic of Azerbaijan are realized by the Cabinet of Ministers of the Republic of Azerbaijan;

Competences of the "relevant executive power authorities" indicated in part 1 of the Article 3, part 2 of the Article 7, part 1, 2, 3, 8, 12 and 13 of the Article 9, part 1, 2,3 and 5 of the Article 10, part 1 (in second case) and 5 of the Article 11, Article 16, part 1 and 4 of the Article 17, part 1 of the Article 18, part 1 and 2 of the Article 19, Part 2 and 3 of the Article 20, part 1 of the Article 21, part 1 of the Article 22, part 2 of the Article 24, part 1 of the Article 28, part 1 of the Article 30 and part 1 of the Article 32 of the law on trademarks and geographical indications of the Republic of Azerbaijan are realized by the State Committee for Standardization Metrology and Patent of the Republic of Azerbaijan;

Competences of the "relevant executive power authorities" indicated in part 3 of the Article 6 of the Law are realized by the Ministry of Culture and Tourism of the Republic of Azerbaijan;

Competences of the "relevant executive power authorities" indicated in the Article 34 of the Law are realized by the State Customs Committee of the Republic of Azerbaijan;

Competences of the "relevant executive power authorities" indicated in paragraph 6 of the part 7 of the Article 9 of the Law are realized by local executive power authorities.

Competences of the "relevant executive power authorities" indicated in part 9 of the Article 26 of the Law are realized by the Ministry of Agriculture with regard to wine and agricultural products with regard to the special features of rendered service or commodity, by the Ministry of Health Ministry of Culture and Tourism of the Republic of Azerbaijan with regard to health resort areas and natural treatment resources, Ministry of Health of the Republic of Azerbaijan with regard to People's handicraft products, local executive power authorities with regard to the definition of the borders of the territory for rendering services and preparing commodities,

State Committee for Standardization, Metrology and Patent of the Republic of Azerbaijan
with regard to the registration of trademarks.

President of the Republic of Azerbaijan
Haydar Aliyev
Baku, August 19, 1998
no. 749

REFERENCES

1. Decree no. 631, dated January 7, 2002 (Collection of Legislation of the Republic of Azerbaijan, 2002, no.1 Article 14)
2. Decree no. 966 dated October 23, 2003 (Collection of Legislation of the Republic of Azerbaijan, 2003, no. 10, Article 571)
3. Decree no. 466 dated September 27, 2006 (Collection of Legislation of the Republic of Azerbaijan, 2006-, no. 9, Article 743)
4. Decree no. 81 dated April 12, 2009 of the President of the Republic of Azerbaijan ("Azerbaijan" newspaper, April 19, 2008, no.83, Collection of Legislation of the Republic of Azerbaijan year 2009, no.4 Article 226)
5. Decree dated December 21, 2009 of the President of the Republic of Azerbaijan ("Azerbaijan" newspaper, December 25, 2009, no.287)

LIST OF ADDITIONS AND MODIFICATIONS TO THE DECREE

With the decree no. 966, dated October 23, 2003 (Collection of Legislation of the Republic of Azerbaijan, 2003, no.10, Article 571) the words "State Committee of Science and Technology" in the third paragraph of the second clause is replaced with the words "State Agency for Standardization, Metrology and Patent"

The word "Agency" is replaced by the word "Committee" in the first paragraph of the decree no. 81, dated April 14, 2009 of the President of the Republic of Azerbaijan ("Azerbaijan" newspaper, April 19, 2008, no.83, Collection of Legislation of the Republic of Azerbaijan 2009, no. 04, Article 226).

With the decree no.631, dated January 7, 2002, the words "Committee for Protection and Restoration of Historical and Cultural Monuments attached to the Cabinet of Ministers of the Republic of Azerbaijan" are deleted from the fourth paragraph of the second clause.

With the decree no 466, dated September 27 (Collection of Legislation of the Republic of Azerbaijan, 2006, no.9, Article 743) the word "Culture" in paragraph 4 of the second clause is replaced with the words "Culture and Tourism"

With the decree dated December 21, 2009 of the President of the Republic of Azerbaijan paragraph 7 is added to the second clause ("Azerbaijan" newspaper, December 25, 2009, no.287).