

Bishkek city, August 7, 2006, N 152

LAW OF THE KYRGYZ REPUBLIC

On inserting of amendments into the Law of the Kyrgyz Republic
“On Service Inventions, Utility Models and Industrial Designs”

Article 1.

To insert amendments into the Law of the Kyrgyz Republic “On Service Inventions, Utility Models and Industrial Designs”.

1. To word Article 13 in the following redaction:

“Article 13. Service Inventions, Utility Models and Industrial Designs, created in course of state contract realization.

1. Right to obtain a patent for service inventions, utility models and industrial designs, created at state contract realization for public needs of the Kyrgyz Republic, shall belong to executor (contractor) in the absence of State contract stipulating the right belonging to the Kyrgyz Republic, on behalf of that a customer acts.

When right to obtain a patent belongs to the Kyrgyz Republic in accordance with the state contract, a state customer may file an application for patent granting during 6 months from the moment of notification, given in written by an executor (contractor) of a result receiving that should be protected as a service invention, utility model or industrial design. In the case of failure of the application by a state customer in above-mentioned term, the right to obtain a patent shall belong to an executor (contractor).

2. When a patent for service invention, utility model or industrial design created at state contract realization for public needs of the Kyrgyz Republic in accordance with the point 1 of the present Article was not obtain by the Kyrgyz Republic, a patent owner by request of state customer shall give a non exclusive royalty-free license for use of service invention, utility model or industrial design data to a person who shall be determined by the owner, in the purpose of works execution or realization of products delivery for public needs of the Kyrgyz Republic.

3. An executor (contractor) shall notify a state contractor about every service invention, utility model or industrial design, created at state contract realization, financing at the expense of State budget.

4. By request of a state customer a patent owner shall grant the non-exclusive royalty – free license to a manufacturer of weapon and defense technology at realization of state defense order during whole term of the title of protection validity for use of service invention, utility model or industrial design, created at agreement realization on armament and defense technology development, financing at the expense of State budget.

5. The granting by an owner of a patent for service invention, utility model or industrial design, created at agreement realization for armament and defense technologies development, financing at the expense of State budget to third parties shall be given only by authority of a State customer.

6. An author of service invention, utility model, industrial design who is not an owner shall be remunerated by a person, who had obtained a patent in accordance with the part 1 of the present Article. At remuneration payment the provisions of Article 8 of the present Law shall be applied.

At a non-exclusive royalty-free license providing as determined by parts 2 and 4 of this Article, remuneration to an author shall be paid by a state customer at who's demand this license has been presented. Remuneration shall be paid by means of fund given to the state customer for the work implementation on state contract".

Article 2.

Normative and legal acts of the Kyrgyz Republic Government, ministries and other state bodies of the Kyrgyz Republic shall be applied in the part not contrary to the present Law.

Article 3.

The present Law shall enter into force from the day of official publication.

The present Law shall be applied towards to legal relationship, which has been established since it's entering into force.

The Government of the Kyrgyz Republic ought to bring to conformity with the present Law its normative legal acts.

K.Bakiev, President of the Kyrgyz Republic

Adopted by Jogorku Kenesh (Parliament) of the
Kyrgyz Republic on June 16, 2006
