

The Criminal Code of the Republic of Moldova

Articles 141, 141/1, 141/2 and 158

Article 141. Infringement of Rights of Inventors

Usurpation of the capacity of inventor, obtaining under constraint the capacity of joint inventor, or disclosure of the subject matter of an invention prior to the filing of a patent application without the consent of the inventor shall be sanctioned with imprisonment for a period up to 2 years or with a fine up to 60 times minimum wages.

Article 141/1. Infringement of Copyright

Any use of literary, artistic or scientific work, including those of the foreign authors, without signing a contract with these authors or their successors in rights, breach of law and contract provisions on using these works, appropriation of the authorship on a foreign work, any other unlawful using thereof, as well as constraint to co-authorship, where these actions were carried out after application of some administrative sanctions, or where a very serious damage was caused, as well as deliberate destruction of the original work of plastic arts, sculpture, manuscript or of the final version of the original audiovisual work shall be sanctioned with a fine up to 60 times of minimum wages.

Article 141/2. Infringement of Patent Owner's Right in Industrial Property Objects

Manufacture, import, export, holding, offering for sale, or sale of some goods under false patents for invention, or under false statements concerning their origin and characteristics, or falsely indicating the name of the producer or seller, in order to mislead other sellers or beneficiaries shall be sanctioned with imprisonment for a period up to 2 years or with a fine up to 60 times of minimum wages, or with confiscation of the product bearing false statements.

Note: The designation of a product, which became well-known and indicates only its specific character in trade, except for the case where such a designation is accompanied by a statement, which might mislead in respect of the origin of the product, shall not be deemed false statement concerning the origin of the product.

Article 158. Products (Goods) Counterfeit, Unlawful Use of Foreign Trade Names

Products (goods) counterfeit and unlawful use of foreign trade names, where these actions were performed after application of an administrative sanction for similar offences or on a large scale shall be liable to a fine between 500 and 1000 times minimum wages, with confiscation of products (goods), which constitute the object of the counterfeit.

Manufacture, marketing, transportation and holding for marketing purposes of counterfeit spirits, where these actions were performed after application of an administrative sanction for similar offences or on a large scale shall be liable to imprisonment for a period up to 3 years or to a fine between 150 and 500 times minimum wages, with confiscation of the products (goods), which constitute the object of the infringement.

The same actions performed repeatedly or at a large scale shall be liable to imprisonment for a period between 3 and 7 years or to a fine between 500 and 2000 times minimum wages, with confiscation of the products (goods), which constitute the object of the infringement.

The same actions performed on an extremely large scale shall be liable to imprisonment for a period between 7 and 12 years or to a fine between 2000 and 3000 times minimum wages, with confiscation of the products (goods), which constitute the object of the infringement.
