

Royal Decree No. 41/2000
Promulgating the Law on the protection of the
Topographies Rights of Integrated Circuits

We, Qaboos Bin Said, Sultan of Oman

After perusal of the Basic Law of the State promulgated by the Royal Decree No. 101/96.

And in pursuance of the public interest.

Have decreed as follows:

- Article 1: The provisions of the attached Law on the protection of the Topographies Rights of Integrated Circuits shall take effect.
- Article 2: The Minister of Commerce & Industry shall issue the regulations and decisions necessary for the implementation of this Law.
- Article 3: This Decree shall be published in the Official Gazette, and shall take effect as from the date of its publication.

Qaboos Bin Said
Sultan of Oman

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**LAW ON THE PROTECTION
OF LAYOUT-DESIGNS (TOPOGRAPHIES)
OF INTEGRATED CIRCUITS**

Article 1:

For the purposes of this Law, an integrated circuit means a product, in its final form or an intermediary form, which consists of interconnections or elements at least one of which is active and which is intended to perform an electronic function.

A layout-design - which is a synonym of "topography" - means any three dimensional disposition of interconnections or elements at least one of which is active, which is intended for manufacture.

Article 2:

The creator, whether a natural person or legal entity, of an original layout-design shall be the right holder in that layout-design. The creator and the successors in title shall enjoy protection afforded by this Law upon registration of the layout-design in a special register established to that effect with the competent authority of the Ministry of Commerce and Industry. The procedures for filing, examining and registering the application shall be prescribed by the Regulations. Registration shall be considered a presumption of ownership unless the contrary is established. Where more than one person participated in the creation of a layout-design, the right in that layout-design shall belong to them equally.

Article 3:

Any interested person may oppose a decision refusing registration within thirty days from notification before a committee to be formed by decision of the Minister. The rules of procedure of the committee shall be determined in the Regulations. The decision of the committee may be the subject of an appeal before the competent department of the Commerce Court within sixty days from the date of notification of the decision of the committee by registered mail.

Article 4:

The holder of the layout-design shall have alone the right to exploit commercially the layout-design. No other person shall have the right to import, reproduce, sell or distribute any protected layout-design, unless having obtained a written authorization from the holder of the right to explore the layout-design commercially or the successors in title.

Article 5:

A layout-design that has been commercially exploited in any place in the world for a period exceeding two years may not be registered.

Article 6:

If a layout-design is made during the execution of an employment contract, the right in the layout-design shall belong to the employer, unless otherwise agreed.

Article 7:

The term of protection of a layout-design shall be ten years from the filing date of the application for registration.

Article 8:

The following uses of a layout-design shall be allowed even without the authorization of the right holder:

- (a) if the person did not know or had no reasonable ground to know that the good incorporates a layout-design unlawfully reproduced, in which case, the stock at hand or ordered before notification shall be disposed of against an adequate compensation to be paid to the right holder.
- (b) use of the layout-design for private, personal, non-commercial use.
- (c) where so required for public interest, use of the layout-design for non-commercial purposes in evaluation, analysis, research or teaching; the authorization and conditions of use shall be established by decision of the Minister.

Article 9:

The right holder may request from the chief judge of the Court of Commerce or a judge designated by him from that Court to issue an order to take the necessary conservative

measures, particularly the seizure of implements used. The same shall apply to products, goods or others.

An action on the merits shall be filed with the competent department within fifteen days from the date at which the order was issued, failure of which shall cause the measures to cease to have effect.

Article 10:

Any interested person may request from the competent department of the Commerce Court to cancel, wholly or partly, a registration contrary to the provisions of this Law. The competent department shall proceed with the cancellation upon receipt of a final decision to that effect.

Article 11:

Any person who carries out any of the following acts shall be punishable by imprisonment for a period not exceeding two years, a fine not exceeding two thousand rials Omani or both:

- (a) reproduces a layout-design protected under this Law without the authorization of the right holder.
 - (b) imports, sells, or distributes a registered layout-design or product incorporating an integrated circuit without the authorization of the right holder.
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