

LAW  
OF THE REPUBLIC OF UZBEKISTAN  
ON THE LEGAL PROTECTION OF TOPOGRAPHIES  
OF INTEGRATED MICROCIRCUITS  
(entered into force on May 18, 2001)

Article 1. Legislation on the legal protection of topographies of integrated microcircuits

Legislation on the legal protection of topographies of integrated microcircuits shall consist of this Law and other legislative acts.

If an international agreement to which the Republic of Uzbekistan is a party establishes rules other than those provided for by the legislation of the Republic of Uzbekistan on the legal protection of topographies of integrated microcircuits, the rules of the international agreement shall apply.

Article 2. Basic concepts

This Law shall apply the following basic concepts: integrated microcircuit means a microelectronic article in final or intermediate form, intended to carry out an electronic function, in which the components, at least one of which is active, and some or all of the interconnections form one unit in the body and/or on the surface of the material, on the basis of which the article is manufactured.

Topography of an integrated microcircuit means a spatial geometric arrangement, fixed on a material carrier, of a series of components of an integrated microcircuit and the connections therebetween.

Article 3. Subject matter and conditions of legal protection

The subject matter of legal protection shall be an original topography of an integrated microcircuit (hereinafter – topography), registered in accordance with the procedure established by this Law.

A topography created as a result of the creative activity of the inventor and unknown to developers or manufacturers of integrated microcircuits on the date of its creation shall be recognized as original until such time as proof to the contrary is provided.

A topography, consisting of components which are known to developers or manufacturers of integrated microcircuits on the date of its creation, shall be granted legal protection only where the series of components as a whole satisfies the requirements of the second part of this article.

The legal protection granted by this Law shall not extend to ideas, methods, systems, technology or encoded information which may be embodied in a topography.

Article 4. Inventor of a topography

The natural person, whose creative labor has led to a topography being created, shall be recognized as the inventor of the topography. If the topography is created by the joint

creative labor of two or more natural persons, those persons shall be jointly recognized as the authors (co-authors).

Natural persons who have not made a personal original contribution to the creation of a topography but have provided the inventor with technical, organizational or material assistance, or have helped to formulate the right to use the topography, shall not be recognized as inventors.

The right of an inventor to a topography shall be an inalienable personal right and shall be protected by the law indefinitely.

#### Article 5. The right to use a topography

An inventor or other rights holder shall have the exclusive right to use a topography at his own discretion, including the manufacture, use and dissemination thereof.

A rights holder may place on a topography, and also on articles including such a topography, preventive marking in the form of the letter T, T in a circle or other formulation indicating the fact that the topography is protected in the Republic of Uzbekistan.

The procedure for using the rights belonging to several rights holders shall be determined by agreement between the holders.

#### Article 6. Infringement of the exclusive right to use a topography

Infringement of the exclusive right to use a topography shall be recognized as the use, import, offer for sale, sale, reproduction, apart from the reproduction of a part that is not original, and other introduction into public circulation of a protected topography, integrated microcircuit with this topography or article including such an integrated microcircuit, without the permission of the rights holder.

The following shall not be recognized as an infringement of the exclusive right to use a topography:

- use of the topography for personal reasons and non-profitmaking purposes, as well as for the purposes of assessment, analysis, research or study;
- acts of a person who has acquired an integrated microcircuit with an unlawfully reproduced topography or article with such an integrated microcircuit, where that person did not know, or had no reasonable grounds to know, that these included an unlawfully reproduced topography;
- the acts indicated in the first part of this article, in relation to a person who has independently created an identical topography.

#### Article 7. Service topography

The right to obtain a certificate of registration for a topography created by an employee in the course of his employment, or at an employer's request (service topography), shall belong to the employer, provided this is agreed by the employer and employee.

The level, conditions and procedure for remuneration of an inventor for a service topography shall be determined by agreement between the inventor and employer.

#### Article 8. Filing of an application for registration of a topography

An application for registration of a topography shall be filed by an inventor, employer or their legal successor (hereinafter – applicant) either directly or through an attorney, with the State Patent Office of the Republic of Uzbekistan (hereinafter – Patent Office).

An application for registration may be filed within a period not exceeding two years from the date of first use of the topography, where this has taken place.

An application for registration shall relate to a single topography.

The requirements for the documents necessary for completing an application for registration shall be determined by the Patent Office.

#### Article 9. State examination of an application for registration of a topography

The State examination of an application for registration of a topography shall be conducted by the Patent Office within two months of its filing date. On the basis of the outcome of the State examination, a decision shall be taken to register the topography or to refuse to register it, and the applicant shall be informed accordingly.

At the request of the Patent Office or at his own initiative, an applicant may, until a decision on registration is taken, update, clarify and amend the application documents.

The procedure for conducting a State examination shall be determined by the Patent Office.

#### Article 10. Appeal against the outcome of a State examination

An applicant may appeal the outcome of a State examination to the Patent Office Appeal Board (hereinafter – Appeal Board) within three months of the date of a decision.

The procedure for appealing the outcome of a State examination to the Appeal Board shall be established by the Patent Office.

An applicant may appeal a decision taken by the Appeal Board in the courts within six months of the date of the decision.

#### Article 11. Registration of a topography

On the basis of the outcome of a State examination, the Patent Office shall, within one month of the date on which the document for payment of the established fee is received, enter the topographies of integrated microcircuits in the State Register. The content of the information entered in the Register shall be determined by the Patent Office.

## Article 12. Publication of information on the registration of a topography

Information on the registration of a topography shall be published by the Patent Office in the official gazette. The content of the published information shall be determined by the Patent Office.

## Article 13. Certificate of registration for a topography

A certificate of registration for a topography shall attest to the exclusive right of the inventor or other rights holder to use the topography.

The certificate shall be issued by the Patent Office three months after publication. The form of the certificate of registration for a topography and the content of the information indicated therein shall be determined by the Patent Office.

## Article 14. Period of validity of the exclusive right to use a topography

The exclusive right to use a topography shall be valid for a period of ten years.

The beginning of the period of validity of the exclusive right to use a topography shall be fixed according to the earliest of the following dates:

- the date of first use of the topography, i.e. the earliest date (confirmed by documentary evidence) of introduction into public circulation anywhere in the world of the topography;
- the date of publication of information on the registration of the topography in the official gazette.

In cases where an identical topography is created independently by another person, the overall period of validity of the exclusive right to use the topography may not exceed ten years.

## Article 15. Transfer of the rights to a topography

The right to a topography may be transferred in full or in part to another person.

An agreement to transfer the rights to a topography shall be subject to registration with the Patent Office.

The procedure for and conditions of registration of an agreement to transfer the rights to a topography shall be established by the Patent Office.

In the interests of national security, the Cabinet of Ministers of the Republic of Uzbekistan may allow a topography to be used without the agreement of the rights holder, but shall pay him appropriate compensation.

## Article 16. Termination of the validity of a certificate of registration for a topography

The validity of a certificate of registration for a topography shall be terminated following the expiry of the period of validity of the exclusive right to use the topography. The validity of the certificate of registration for the topography shall be terminated early, based on a:

- decision of the Appeal Board;
- request by a rights holder, submitted to the Patent Office;
- court decision.

## Article 17. Patent fees

Patent fees shall be levied for the performance of legally significant acts connected with the registration of a topography. The patent fees shall be paid to the Patent Office to cover its expenses incurred in carrying out the functions provided for by this Law.

The levels of and payment periods for patent fees, as well as the grounds for exemption from payment thereof, reduction in levels or their reimbursement, shall be established by the Cabinet of Ministers of the Republic of Uzbekistan.

## Article 18. Registration of a topography in other States

Natural or legal persons shall be entitled to register a topography in other States in accordance with the established procedure.

## Article 19. Rights of foreign natural and legal persons

Foreign natural and legal persons shall enjoy the rights provided for by this Law, on an equal basis with natural and legal persons of the Republic of Uzbekistan, or on the basis of the principle of reciprocity.

## Article 20. Dispute settlement

Disputes connected with the legal protection of topographies shall be settled in accordance with the procedure established by legislation.

## Article 21. Liability for infringing legislation relating to the legal protection of a topography

Persons found to have infringed legislation relating to the legal protection of a topography shall be liable in accordance with the established procedure.

President of the Republic of Uzbekistan

I. KARIMOV