
Amendments to intellectual property legislation

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In brief

The draft law on introduction of amendments and additions to certain legal acts regarding the improvement of intellectual property legislation (the “Draft Law”) prescribes one-stop-shop principle for the registration of intellectual property rights, and reduces other administrative barriers.

In detail

The Draft Law introduces amendments to 12 different legal acts in the area of intellectual property (“IP”) to reduce the amount of administrative barriers in IP registration process, and protection of IP rights. One of the main changes is the implementation of the one-stop-shop principle for the registration of IP rights. While the existing law provides for the examination of the objects of IP rights by one state body, and the registration of IP rights – by another, the Draft Law provides for the entire process to be conducted by the expert organization.

- Possibility to appeal the decision of the expert organization out-of-court;
- Possibility of obtaining a compensation for violation of IP rights.

Another novelty is introduction of the appellate council. The appellate council is a subdivision of the authorized body for out-of-court dispute resolution of the decisions of the expert organization.

The Draft Law also introduces other changes including the opportunity to reduce the state fee for the expert organization services, and specified compensation damage for the violation of IP rights.

The Draft Law is currently under consideration by the Kazakhstan Parliament.

[Source: the Draft Law of the Republic of Kazakhstan "On Introduction of Amendments and Additions to Certain Legal Acts of the Republic of Kazakhstan on Improving of Intellectual Property Legislation"]

The takeaway

- Registration of IP rights in one state body;

Let's talk

For a detailed discussion of how this issue might affect your business, please contact:



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