

Law of Georgia on Topographies of Integrated Circuits

Article 1. Purpose of the Law

This Law regulates property and personal non-property relations arising in connection with the registration, exploitation and legal protection of the intellectual property object - topography of integrated circuit.

Article 2. Definitions used in the Law

For the purposes of this Law, unless expressly stated otherwise:

a) integrated circuit (hereinafter - IC) - a product intended to perform an electronic function in its final or an intermediate form, in which the elements at least one of which is an active element, and some or all of the interconnections are integrally formed in and/or on a piece of material;

b) topography of integrated circuit (hereinafter - topography) - the three-dimensional disposition, however expressed, of the IC elements, at least one of which is an active element, and of some or all of the interconnections, or such a three-dimensional disposition prepared for an IC intended for manufacture;

c) certificate on topography (hereinafter - certificate) - the document registered in respect to this Law, granted in the name of topography proprietor, confirming his exclusive rights;

d) application - collection of documents necessary for registration of a topography, made in respect to the prescribed requirements;

e) "Sakpatenti" - National Intellectual Property Center of Georgia, a legal entity governed by public law, which ensures the rights of natural persons and legal entities in the sphere of intellectual property protection;

f) Chamber of Appeals - a body existing at Sakpatenti, which considers the disputes as regards to the procedure of securing of the rights for the intellectual property objects.

Article 3. Arising of Exclusive Rights

1. Exclusive right on topography arises by registration of topography at Sakpatenti.

2. The certificate is granted in the name of the proprietor of the registered topography.

Article 4. Validity Terms of Exclusive Rights

Validity term of the exclusive right on the topography is 10 years as from the registration date at Sakpatenti.

Article 5. Originality of Topography

1. In respect to this law an original topography shall be registered.

2. A topography shall be considered original, if it is the result of intellectual effort and was not commonplace at the date of creation.

3. The topography, consisting of elements, that are commonplace for its creation date, shall be considered to be original, if it is the result of intellectual effort and is not commonplace in the whole.

4. The topography is considered as original until proving the contrary.

5. Exploitation of the topography by the designer of topography, or by the other person, who for the application filing date has the right to secure the certificate, or by the third party, for which said topology became available from the designer in direct or indirect way, during two years before the application filing date does not effect the originality of topography.

Article 6. Designers (Co-Designers) of Topography

1. As a designer of topography (hereinafter - designer) shall be deemed a natural person, in result of the intellectual efforts of which was created a topography.

2. If the topography was created in result of joint intellectual efforts of several natural persons, each of them shall be deemed to be a co-designer.

3. The designer of topography is entitled to have his name mentioned in the certificate.

Article 7. Right to Secure the Certificate

1. The designer or his successor has the right to secure the certificate.

2. The right to secure the topography certificate, which is the result of joint intellectual efforts of several persons, is entitled to all the designers jointly, as well as to each of them, where the other designers refuse to obtain the certificate.

3. Where the topography was created by an employee in the course of his employment or in result of a special order, the right to secure the certificate is entitled to the employer, unless otherwise provided for by the contract concluded between them.

4. Where the right to secure the certificate belongs to the employer, the employee on basis of mutual agreement is entitled to require the additional relevant remuneration from the employer.

5. Where the topography is created pursuant to state order or in the course of employment in respect to the contract concluded between the organizations, the right to secure the certificate shall be defined by the order or the contract terms.

President of Georgia
Eduard Shevardnadze

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