

Bishkek city, August 8, 2006, N 155

LAW OF THE KYRGYZ REPUBLIC

On inserting of amendments into the Law of the Kyrgyz Republic
“On Legal Protection of Selection Achievements”

Article 1.

To insert into the Law of the Kyrgyz Republic “On Legal Protection of Selection Achievements” the following amendments:

1. To add to the Law Article 6-1 of following content:

“Article 6-1. Selection achievement, created in course of State contract.

If a selection achievement is created in course of State contract for public needs of the Kyrgyz Republic, the right to file an application and patent obtaining for selection achievement belongs to an executor (contractor) in the absence of State contract stipulating the right belonging to the Kyrgyz Republic, on behalf of which a customer acts.

In the case when in accordance with State contract, the right to patent obtaining belongs to the Kyrgyz Republic, a State customer may file an application for patent granting during 6 months from the moment of notification in written by an executor (contractor) concerning the created selection achievement, which corresponds to criteria of protect ability. In the case of failure of an application by a state customer during the prescribed term, an executor (contractor) shall be entitled to patent obtaining.

When a patent for selection achievement, created at state contract realization for public needs of the Kyrgyz Republic in accordance with the point 1 of the present Article was not obtained by a state customer, a patent owner by request of state customer shall give a non exclusive royalty-free license for use of the selection achievement data to a person who shall be determined by the owner, in the purpose of works execution or realization of products delivery for public needs of the Kyrgyz Republic.

Remuneration for a worker (author), who creates a selection achievement who is not a right owner shall be paid by a person receiving this right under the Part 1 of this Article. The regulations of the Article 22 of the present Law shall be applied at remuneration payment.

Article 2.

Normative and legal acts of the Government of the Kyrgyz Republic, ministers and offices of the Kyrgyz Republic shall be applied without conflicting with this Law.

Article 3.

The present Law shall enter into force from the day of official publication.

The present Law shall be applied towards to legal relationship, which has been established since its entering into force.

The Government of the Kyrgyz Republic ought to bring to conformity with the present Law its normative legal acts.

President of the Kyrgyz Republic K.Bakiev

Adopted by Jogorku Kenesh (Parliament) of the
Kyrgyz Republic on June 16, 2006
