



On approval of the Rules for certification of individuals applying for the activity of a patent attorney, registration in the register of patent attorneys and introduction of amendments to it

Unofficial translation

Order of the Minister of Justice of the Republic of Kazakhstan dated August 28, 2018 № 1316. Registered with the Ministry of Justice of the Republic of Kazakhstan on August 29, 2018 № 17322.

Unofficial translation

Footnote. The title - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

In accordance with paragraph 1 of Article 22-4 of the Law of the Republic of Kazakhstan "On protection of breeding achievements," paragraph 1 of Article 36 of the Law of the Republic of Kazakhstan "Patent Law of the Republic of Kazakhstan," paragraph 1 of Article 46 of the Law of the Republic of Kazakhstan "On trademarks, service marks, geographical indications and names of places of origin of goods" and paragraph 1 of Article 15 of the Law of the Republic of Kazakhstan "On legal protection of topologies integrated circuits" **I hereby ORDER:**

Footnote. Preamble - as amended by the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1. Approve the attached Rules for certification of persons applying for the activity of a patent attorney, registration in the register of patent attorneys and introduction of amendments to it.

Footnote. Paragraph 1 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

2. The Department of Intellectual Property Rights in accordance with the procedure established by the legislation shall ensure:

1) state registration of this order;

2) within ten calendar days from the date of state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, the direction hereof in kazakh and russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan" for official publication and placement in the Reference Control Bank of the Regulatory Legal Acts of the Republic of Kazakhstan;

3) placing this order on the Internet resource of the Ministry of Justice of the Republic of Kazakhstan.

3. Control over the execution of this order shall be entrusted to the supervising Vice-Minister of Justice of the Republic of Kazakhstan.

4. This order shall be put into effect upon expiry of ten calendar days after the day of its first official publication.

*Minister of Justice
of the Republic of Kazakhstan*

M. Beketayev

Approved
by the order of the
Minister of Justice of the
Republic of Kazakhstan
dated August 28, 2018
No. 1316

Rules for certification of persons applying for the activity of a patent attorney, registration in the register of patent attorneys and introduction of amendments to it

Footnote. The title - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Footnote. The Rules as amended by the order of the Minister of Justice of the Republic of Kazakhstan dated 20.03.2020 No. 106 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 1. General provisions

1. Rules for certification of individuals applying for the activity of a patent attorney, registration in the register of patent attorneys and introduction of amendments to it (hereinafter referred to as the Rules) have been developed in accordance with the Law of the Republic of Kazakhstan "On protection of breeding achievements," the Law of the Republic of Kazakhstan "Patent Law of the Republic of Kazakhstan", the Law of the Republic of Kazakhstan "On trademarks, service marks, geographical indications and names of places of origin of goods", Law of the Republic of Kazakhstan "On legal protection of integrated circuit topologies," Law of the Republic of Kazakhstan "On public services" and shall determine the procedure for certification of individuals applying for the activity of a patent attorney, registration in the register of patent attorneys and introduction of amendments to it.

Footnote. Paragraph 1 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

2. The following concepts and terms shall be used in these Rules:

1) Attestation commission - Attestation commission of the Ministry of Justice of the Republic of Kazakhstan;

2) a candidate – an individual applying for the right to engage in the activities of a patent attorney;

3) service recipient – an individual, a candidate for patent attorneys;

4) a patent attorney - a capable citizen of the Republic of Kazakhstan, permanently residing in its territory, having higher education and work experience of at least four years, passed certification and registered in the register of patent attorneys;

5) Register - Register of patent attorneys of the Republic of Kazakhstan.

Public services "Certification of persons applying for the activity of a patent attorney" and "Issuance of a patent attorney certificate" shall be provided by the Ministry of Justice of the Republic of Kazakhstan (hereinafter referred to as the service provider);

When introducing amendments and (or) additions to these Rules, the authorized body shall send to the operator the information and communication infrastructure of the "electronic government," to the Unified Contact Center, the service provider information about such amendments and (or) additions within 10 (ten) working days after state registration with the justice bodies of the relevant regulatory legal act.

Footnote. Paragraph 2 - in the wording of the order of the acting Minister of Justice of the Republic of Kazakhstan dated 21.10.2022 No. 876 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Chapter 2. Procedure for attestation of candidates for patent attorneys, registration in the register of patent attorneys and amendments to it Paragraph 1. Reception of documents

3. A public service “Attestation of candidates for patent attorneys”.

4. Individuals who have experience in the field of protection and safety of intellectual property rights for at least four years or who have completed an internship in the chamber of patent attorneys for at least one year shall be allowed to be certified.

Certification of individuals applying for the activity of a patent attorney shall be carried out in the form of testing for knowledge of the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan in the field of intellectual property.

Footnote. Paragraph 4 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

5. For certification, the service recipient shall send the following documents through the e-government web portal:

1) an application for admission to certification of individuals applying for the activity of a patent attorney certified by an electronic digital signature (hereinafter referred to as the EDS) in the state or Russian languages, in form in accordance with Annex 1 to these Rules;

2) an electronic copy of a document confirming employment with at least four years of experience in the field of protection and safety of intellectual property rights or an internship in the chamber of patent attorneys for at least one year;

3) information for certification of individuals applying for the activity of a patent attorney in the form according to Annex 2 to these Rules;

4) a document confirming payment of the state fee for certification of patent attorneys.

The service provider shall receive information about the document certifying the identity of the service recipient, information about payment of the state duty through the payment gateway of the "electronic government" (hereinafter referred to as the PGEG) from the relevant state information systems through the gateway of the "electronic government."

Bank details required to pay the state duty shall be specified in Annex 3 of these Rules.

The information specified in Annex 2 of these Rules shall be verified with the original documents submitted by the service recipient when appearing for the attestation exam.

Footnote. Paragraph 5 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

6. The list of basic requirements for the provision of public services "Certification of individuals applying for the activity of a patent attorney" shall be given in accordance with Annex 4 to these Rules.

Footnote. Paragraph 6 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

7. When the service recipient submits all the necessary documents provided for in paragraph 5 of these Rules, the service recipient shall be sent to the "personal account" information on the status of acceptance of the request for the provision of the state service.

The service provider shall verify the completeness and conformity of the submitted documents provided for in paragraph 5 to these Rules. In case of improper registration by the service recipient or submission of an incomplete package of documents in accordance with paragraph 5 of these Rules, the service provider shall send a notification to the service recipient indicating what requirements the package of documents does not meet and the period for bringing it into compliance.

The period for bringing the documents specified in the notification into compliance shall be one working day, if within one working day from the date of receipt of the notification the service recipient has not brought it into compliance with the requirements, the service provider within two working days sends a reasoned refusal to further consider the application.

The service provider shall notify the service recipient of the preliminary decision, as well as the time and place (method) of hearing for the opportunity to express a position to the service recipient by the preliminary decision.

The deadline for the service provider to make a preliminary decision on refusal to provide public service shall be one working day.

The notice of hearing shall be sent at least three working days before the completion of the term for the provision of the public service. The hearing shall be held no later than two working days from the date of notification.

Based on the results of the hearing, the service provider shall notify the service recipient in accordance with paragraph 10 of these Rules or a reasoned refusal to provide public service

Refusal of admission to certification shall be appealed in court.

Footnote. Paragraph 7 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 30.06.2021 No. 549 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

8. The following individuals shall not be allowed for certification:

1) which, in accordance with the Laws of the Republic of Kazakhstan, shall be prohibited to engage in entrepreneurial activities;

2) having an outstanding or unrecorded criminal record for committing a crime in accordance with the procedure established by the Law;

3) excluded from the register of patent attorneys in accordance with the Law;

4) employees of the authorized body and its subordinate organizations, as well as their close relatives, spouse (spouse).

Footnote. Paragraph 8 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

9. The authorized body, on the day of receipt of documents, accepts and registers them.

When the applicant applies after the end of working hours, on weekends and holidays in accordance with labor legislation, the acceptance of applications and the issuance of the results of provision of a public service are carried out on the next working day.

The service provider receives information about the identity document of the service recipient, information about the payment of the state fee through the PGEG from the relevant state information systems through the gateway of "electronic government".

Paragraph 2. Conduct of attestation

10. Lists of candidates admitted to attestation are posted on the Internet resource of the authorized body.

A candidate admitted to attestation is notified three working days in advance of the place, date and time of testing through the e-government web portal in electronic form and places it on the service provider's Internet resource.

Candidates shall pass certification upon presentation of an identity document or through the "digital document" service within one working day.

Footnote. Paragraph 10 as amended by the order of the Minister of Justice of the Republic of Kazakhstan dated 30.06.2021 No. 549 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

11. A candidate at his discretion undergoes attestation in the Kazakh or Russian languages . The candidate confirms in writing his choice of language before the start of the attestation.

12. The list of issues to be included in the tests shall be approved by the certification committee. Questions for assessing the knowledge of candidates correspond to the topics of legal disciplines (Laws of the Republic of Kazakhstan "On protection of breeding achievements," "Patent Law of the Republic of Kazakhstan," "On trademarks, service marks, geographical indications and names of places of origin of goods," "On legal protection of integrated circuit topologies," as well as international treaties ratified by the Republic of Kazakhstan in the field of intellectual property), knowledge of which shall be necessary to carry out the activities of the patent attorney, and contain at least four answers with one correct one.

Testing is carried out using computer technology. The time given for testing is ninety minutes.

Tests are confidential information and are not subject to free distribution.

Before passing the attestation, the Attestation commission informs the candidate about the procedure, duration and content of the candidate selection procedure.

Footnote. Paragraph 12 as amended by the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

13. At the meeting of the Attestation commission, a protocol is drawn up (hereinafter referred to as the Commission protocol), which reflects: date, time and place of the meeting, last name, first name, patronymic (if any) of the person being attested, the test result.

14. A candidate suspended from testing has the right to re-apply for admission to the next attestation.

15. The calculation of the correct test answers is carried out using the used computer program automatically. Test results are printed in duplicate and submitted to the candidate immediately for review by putting a personal signature after completion.

One copy of the test results sheet is handed over to the candidate, the second is given to the Attestation commission.

16. An applicant is considered to have passed the test if the number of correct answers is 70% or more of the total number of questions asked.

Based on the test results, the responsible executor prepares a protocol and, within two working days, sends it to the head of the structural subdivision and the authorized person of the service provider for signature.

The protocol is signed by the chairman of the Commission and his deputy.

The protocol is sent to the "personal account" of the service recipient in the form of an electronic document signed by the electronic signature of the authorized person of the service provider.

17. Attestation is carried out within 7 working days of the last month of the corresponding half-year.

18. At the choice of the service recipient, the public service is rendered on the principle of "one application" in conjunction with the public service "Issuance of a patent attorney certificate" on the basis of an application for admission to attestation of a candidate for patent attorney and issuance of a patent attorney certificate in the form, in accordance with Appendix 5 to these Rules.

Paragraph 3. Issuance of a patent attorney certificate

19. Public service "Issuance of a patent attorney certificate".

20. To obtain a patent attorney certificate, a candidate submits the following documents through the e-government web portal:

1) an application for obtaining a patent attorney certificate in the form of an electronic document certified by the candidate's EDS in the state or Russian languages, in the form in accordance with Appendix 6 to these Rules;

2) a document confirming the payment of the state fee for registration as a patent attorney.

The service provider receives information about the identity document of the service recipient, information about the payment of the state fee through the PGEG from the relevant state information systems through the gateway of "electronic government".

When the service recipient submits all the necessary documents, the status of acceptance of the request for the provision of a public service is displayed in the "personal account" of the service recipient.

A patent attorney certificate is issued within three working days.

When providing a public service on the principle of "one application" from the date of submission of a document confirming the payment of the state fee for registration as a patent attorney.

21. The list of the main requirements for the provision of the state service "Issuance of a certificate of patent attorney" shall be given in accordance with Annex 7 to these Rules.

Footnote. Paragraph 21 - as amended by the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

22. The authorized body shall perform their reception and registration on the day of receipt of documents.

When the applicant applies after the end of working hours, on weekends and holidays in accordance with labor law, the acceptance of applications and the issuance of the results of the provision of public service is carried out by the next working day.

The service provider shall verify the completeness and conformity of the submitted documents provided for in paragraph 20 to the Rules. When the service recipient submits an incomplete package of documents in accordance with paragraph 20 of these Rules and (or) documents recognized as invalid, the service provider sends a notification to the service recipient indicating which requirements the package of documents does not meet.

The deadline for bringing the documents specified in the notification into compliance shall be one working day.

If within one working day from the date of receipt of the notification, the service recipient has not brought it in line with the requirements, then the service provider sends a refusal to further consider the application.

Based on the results of the documents verification, the service provider shall draw up a certificate of the patent attorney in the form in accordance with Annex 8 to these Rules and send it to the head of the structural unit for approval within one working day.

Footnote. paragraph 22 – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 30.06.2021 No. 549 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

23. The result of provision of a public service after signing by the authorized person of the service provider is sent to the service recipient's "personal account" within one working day.

Paragraph 4. Registration in the register of patent attorneys and amendments to it

24. The Register contains information on patent attorneys who received certificates, and subsequent changes of information about them. The Register is maintained by the authorized body and posted on the Internet resource of the authorized body.

25. The Register contains the following information:

- 1) serial number of registration, which is the number of the certificate;
- 2) the date of registration of the patent attorney;
- 3) surname, name, patronymic (if any) of the patent attorney;
- 4) permanent place of residence;
- 5) the number and date of the decision of the Attestation commission (the document on the basis of which the registration was made);
- 6) the address for correspondence, as well as the telephone number, teletype, telefax, if any, the language (s) of the correspondence;
- 7) place of work, position;
- 8) information on the issue or mailing of the certificate;
- 9) information on the suspension;
- 10) information on exclusion from the Register.

26. In the event of a change in the information of the patent attorney specified in paragraph 25 of these Rules, the patent attorney within a month from the date of changes made in such information informs the authorized body thereof.

Chapter 3. Procedure for appealing decisions, actions (inaction) of the service provider and (or) his officials on the issues of provision of a public service

27. A complaint about the decision, actions (inaction) of employees of structural subdivisions of the authorized body shall be submitted to the head of the service provider and (or) to the authorized body for assessing and monitoring the quality of public services (hereinafter referred to as the body considering the complaint) in accordance with the legislation of the Republic of Kazakhstan.

The consideration of a complaint regarding the provision of public services shall be carried out by a higher administrative body, an official, and a body considering the complaint.

Complaints shall be submitted to the service provider and (or) to the official whose decision, action (inaction) shall be appealed.

The service provider, an official whose decision, action (inaction) shall be appealed, shall, no later than three working days from the date of receipt of the complaint, send it and the administrative case to the body considering the complaint.

At the same time, the service provider, official, decision, action (inaction) shall be appealed, does not send a complaint to the body considering the complaint, if it takes a decision or administrative action within three working days that fully meets the requirements specified in the complaint.

The complaint of the service recipient, received by the service provider, in accordance with subparagraph 2) of paragraph 3 of Article 25 of the Law of the Republic of Kazakhstan " On public services" shall be subject to consideration within five working days from the date of its registration.

The complaint of the service recipient received by the body considering the complaint shall be subject to consideration within fifteen working days from the date of its registration.

Footnote. Paragraph 27 – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 30.06.2021 No. 549 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

28. In cases of disagreement with the results of the public service provided, the service recipient applies to the court in the manner established by the legislation of the Republic of Kazakhstan.

Annex 1
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Footnote. The upper right corner - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

(surname, name, patronymic
(if availability) of a citizen,
individual
identification number)
Residence address:

(postal code, region,
city, district, locality,
street name,
house / building number)

Application for admission to attestation of a candidate for patent attorney

I ask you to admit me to attestation for a patent attorney of the Republic of Kazakhstan.

I am personally responsible for providing accurate information, and I also agree to the use of information,

constituting a secret protected by the Law, contained in information systems, when providing this public service.

Phone number:

E-mail:

Fax:

A set of required documents:

- information for passing the attestation of candidates for patent attorneys;
- an electronic copy of a document confirming labor activity with a work experience of at least four years;
- a document confirming the payment of the state fee for attestation of patent attorneys.

_____ sheets are attached.

Citizen _____ date: _____

(signature) (surname, name, patronymic (if any))

I agree to the use of information constituting a secret protected by law contained in information systems

Appendix 2
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Footnote. The upper right corner - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Information

to pass attestation of candidates for patent attorneys

**surname, name, patronymic (if any) of an individual,
individual identification number)**

1. Information about the diploma:

1) the name of the higher education institution _____

2) number of the diploma _____

3) date of issue of the diploma _____

4) a document confirming the passage of the nostrification or recognition procedure in
accordance with the Law

of the Republic of Kazakhstan "On education":
series and number _____

rationale: date and number _____

registration number and date _____

Individual _____ date: _____

(signature) (surname, name, patronymic (if any)

I agree to the use of information constituting a secret protected by law contained in
information systems.

Appendix 3
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Footnote. The upper right corner - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Bank details required for payment of state fee

Footnote. Appendix 3 as amended by Order of the Acting Minister of Justice of the Republic of Kazakhstan dated 21.10.2022 No. 876 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Beneficiary - RSI Department of State Revenue in the Yesilsky District of the Department of State Revenue in the city of Astana SRC MF RK

BIN - 081240013779

IIC - KZ24070105KSN0000000

BIK - KKMFKZ2A

Beneficiary Bank - State Institution "Treasury Committee of the Ministry of Finance of the Republic of Kazakhstan," Astana

KBE - 11

Budget classification code (KBK) – 108125

Annex 4
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Form

List of main requirements for the provision of public services "Certification of persons applying for activity of patent attorney "

Footnote. Annex 4 – in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1	Name of the service provider	Ministry of Justice of the Republic of Kazakhstan
2	Public service provision methods (Access Channels)	Web portal "e-government" www.egov.kz (hereinafter referred to as the the portal)
3	Term of public service provision	Within 7 (seven) working days of the last month of the corresponding half-year
4	Form of public service provision	Electronic (fully automated)/single application
5	Result of public service provision	A positive or negative decision on the results of passing the certification exam or a reasoned response on refusal to public service provision in cases and on the grounds provided for in paragraph 9 of this Annex. The form of provision of the result of the public service provision: electronic (fully automated)/ provided on the principle of "one application."

6	<p>The amount of payment charged to the service recipient during the public service provision, and the methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan</p>	<p>The state duty shall be paid by the service recipient through the banking institutions of the Republic of Kazakhstan, which issue payment documents confirming the amount and date of payment established by Article 614 of the Code of the Republic of Kazakhstan "On taxes and other mandatory payments to the budget (Tax Code)": for certification of patent attorneys - 15 (fifteen) monthly calculation indicators. Payment shall be made in cash or through the payment gateway of the "electronic government" (hereinafter referred to as the PGEG) or by non-cash method through second-tier banks. Bank details required to pay the state duty shall be specified in Annex 3 of these Rules.</p>
7	<p>Working schedule</p>	<p>The service provider – from Monday to Friday in accordance with the established work schedule from 9.00 to 18.30, with the exception of weekends and holidays in accordance with the Labor Code of the Republic of Kazakhstan with a lunch break from 13.00 to 14.30. The portal – around the clock, with the exception of technical breaks in connection with the repair work (when the service recipient applies after the end of working hours, on weekends and holidays, the application is accepted and the result of the public service is issued by the next working day in accordance with the labor legislation of the Republic of Kazakhstan).</p>
		<p>1) an application for admission to certification of persons applying for the activity of a patent attorney certified by an electronic digital signature (hereinafter referred to as the EDS) in the state or Russian languages, in form in accordance with Annex 1 to these Rules; 2) information for certification of individuals applying for the activity of a patent attorney in the form according to Annex 2 to these Rules;</p>

8	List of documents and information required from the service recipient for the public service provision	<p>3) an electronic copy of a document confirming employment with at least four years of experience in the field of protection and protection of intellectual property rights or an internship in the chamber of patent attorneys for at least one year;</p> <p>4) a document confirming payment of the state fee for certification of patent attorneys.</p> <p>The information specified in Annex 2 of these Rules shall be verified with the original documents submitted by the service recipient when appearing for the attestation exam.</p>
9	Grounds for refusal to provide public services established by the legislation of the Republic of Kazakhstan	<p>1) establishing the inaccuracy of the documents submitted by the service recipient for receiving the public service, and (or) the data (information) contained in them;</p> <p>2) non-compliance of the service recipient and (or) submitted materials, objects, data and information required to provide the public service with the requirements established by regulatory legal acts of the Republic of Kazakhstan;</p> <p>3) in relation to the service recipient there shall be a court decision (verdict) on the prohibition of activities or certain types of activities requiring the receipt of a certain state service that has entered into legal force.</p>
10	Other requirements taking into account the peculiarities of the public service provision	<p>The addresses of the places of public service provision shall be posted on the Internet resource of the service provider - www.adilet.gov.kz, section "Public services."</p> <p>The service recipient has the opportunity to receive a state service in electronic form through the portal, provided that the EDS shall be available.</p> <p>The service recipient has the opportunity to receive information on the procedure and status of the public service provision in the remote access mode through the "personal account" of the portal, as well as the Unified Contact Center.</p>

At the choice of the service recipient, the public service shall be provided, according to the principle of "one application" in conjunction with the public service "Issuance of a certificate of patent attorney" in form, in accordance with Annex 5 to these Rules.

Contact numbers of reference services for the public service provision: 8 (7172) 74-09-69, 55-88-21.

unified contact center - 1414, 8 800 080 7777.

Appendix 5
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Footnote. The upper right corner - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Form

Ministry of Justice of the
Republic of Kazakhstan
To Chairman of attestation commission
from _____
(surname, name, patronymic
(if any) of citizen, individual
identification number)
Residence
address: _____
(postal code, region, city, district,
locality, street name,
house / building number)

Application

on admission to attestation of a candidate for patent attorney and issuance of a patent attorney certificate

I ask to be admitted to attestation of patent attorneys of the Republic of Kazakhstan.

I am personally liable for providing reliable information, and I also agree to the use of information constituting a secret protected by law contained in information systems when providing this public service.

After a positive decision on the results of passing the attestation exam, I ask you to issue me a patent attorney certificate.

Phone number:

E-mail:

Fax:

A set of required documents:

- information for passing the attestation of candidates for patent attorneys;
- an electronic copy of a document confirming labor activity with a work experience of at least four years;
- a document confirming the payment of the state fee for attestation of patent attorneys and for registration as a patent attorney.

_____ sheets are attached.

Citizen _____ date: _____

(signature) (surname, name, patronymic (if any))

I agree to the use of information constituting a secret protected by law contained in information systems.

Appendix 6
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Footnote. The upper right corner - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

form
Ministry of Justice of the
Republic of Kazakhstan
To Chairman of attestation
commission
from

(surname, name, patronymic
(if any) of citizen,
individual identification number)
Residence address

(postal code, region, city, district,
locality, street name, house /
building number)

**Application
to obtain a patent attorney certificate**

I ask you to issue me a patent attorney certificate.

I bear personal responsibility for provision of reliable information, and also agree to the use of information constituting a secret protected by the Law, contained in information systems, when providing this public service.

_____ sheets are attached.

Citizen _____ date: _____

(signature) (surname, name, patronymic (if any))

I agree to the use of information constituting a secret protected by law contained in information systems.

Annex 7
to the Rules for conduct
of certification of applicants
for activity of the patent attorney,
registration in the registry
patent attorneys and
introduction of amendments to it

Form

List of main requirements for the public service provision "Issuance of certificate of patent attorney"

Footnote. Annex 7 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 31.08.2022 No. 727 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

1	Name of the service provider	Ministry of Justice of the Republic of Kazakhstan
2	Public service provision methods (Access Channels)	Web portal "E-government" www.egov.kz (hereinafter referred to as the portal)
3	Term of public service provision	Within 3 working days
4	Form of public service provision	Electronic (fully automated)/single application
5	Result of public service provision	The issuance of the certificate of the patent attorney in the form in accordance with Annex 6 to these Rules shall be sent to the "personal account" of the service recipient in the form of an electronic document signed by an electronic digital signature (hereinafter referred to as the EDS) of the authorized person of the service provider. The form of provision of the result of the public service provision: electronic (fully automated)/provided on the principle of "one application."

6	<p>The amount of payment charged to the service recipient during the public service provision, and the methods of its collection in cases provided for by the legislation of the Republic of Kazakhstan</p>	<p>The state duty shall be paid by the service recipient through the banking institutions of the Republic of Kazakhstan, which issue payment documents confirming the amount and date of payment established by Article 614 of the Code of the Republic of Kazakhstan "On taxes and other mandatory payments to the budget (Tax Code)":</p> <p>for registration as a patent attorney - 1 (one) monthly calculation indicator .</p> <p>Payment shall be made by cash or non-cash method through the payment gateway of the "electronic government" (hereinafter referred to as the PGEG) or through second-tier banks.</p> <p>Bank details required to pay the state duty shall be specified in Annex 3 of these Rules.</p>
7	<p>Working schedule</p>	<p>The service provider – from Monday to Friday in accordance with the established work schedule from 9.00 to 18.30, with the exception of weekends and holidays in accordance with the Labor Code of the Republic of Kazakhstan with a lunch break from 13.00 to 14.30.</p> <p>The portal – around the clock, with the exception of technical breaks in connection with the repair work (when the service recipient applies after the end of working hours, on weekends and holidays, the application shall be accepted and the result of the state service shall be issued by the next working day in accordance with the labor legislation of the Republic of Kazakhstan).</p>
8	<p>List of documents and information required from the service recipient for the public service provision</p>	<p>1) application for obtaining a certificate of a patent attorney in the form of an electronic document certified by the EDS of a candidate in the state or Russian languages in the form according to Annex 7 of these Rules;</p> <p>2) a document confirming payment of the state fee for registration as a patent attorney.</p> <p>The service provider shall receive information about the document</p>

		certifying the identity of the service recipient, information about the payment of state duty through the PGEG from the relevant state information systems through the "electronic government" gateway.
9	Grounds for refusal to provide public services established by the legislation of the Republic of Kazakhstan	<p>If the service recipient submits an incomplete package of documents in accordance with paragraph 8 of this Annex and (or) expired documents, the service provider shall send a notification to the service recipient indicating which requirements the package of documents does not meet.</p> <p>The deadline for bringing the documents specified in the notification into compliance shall be one working day.</p> <p>If within one working day from the date of receipt of the notification, the service recipient has not brought it in line with the requirements, then the service provider sends a refusal to further consider the application.</p>
10	Other requirements taking into account the peculiarities of the public service provision including those provided in electronic form and through the State Corporation	<p>When providing a state service on the principle of "one application," the term for public service provision is calculated from the date of provision of a document confirming the payment of the state duty for registration as a patent attorney.</p> <p>The addresses of the places of public service provision shall be posted on the Internet resources of the authorized body of the www.adilet.gov.kz and service provider www.kazpatent.kz.</p> <p>To receive a public service through the portal, you must have the EDS.</p> <p>The service recipient has the opportunity to receive information on the procedure and status of the public service provision in the remote access mode through the "personal account" of the portal, as well as the Unified Contact Center.</p> <p>Contact numbers of reference services for the public service provision: 8 (7172) 74-09-69, 8 (7172) 55-88-21.</p> <p>Unified contact center - 1414, 8 800 080 7777.</p>

Appendix 8
to the Rules for attestation of
candidates for patent attorneys,
registration in the register of patent
attorneys and amendments to it
Form

ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ ӘДІЛЕТ МИНИСТРЛІГІ		MINISTRY OF JUSTICE OF THE REPUBLIC OF KAZAKHSTAN
[UO details in the state language] Нөмірі: [Number of Certificate] Берілген күні: [Date of issue]		[UO details in Russian]

PATENT ATTORNEY CERTIFICATE

is issued to [Surname] [Name] [Patronymic] registered as a patent attorney.

The registration entry was made in the Register of patent attorneys " __ " _____
under No. _____

[Position of the signer] [surname, name and patronymic (if any) of the signer]