

On approval of the Rules for provision of extracts from State Registers of Selection Achievements, Useful Models, Industrial Designs, Trademarks and Appellation of Origin, Integrated Circuit Topologies

Unofficial translation

Order of the Minister of Justice of the Republic of Kazakhstan dated August 28, 2018 № 1313. Registered with the Ministry of Justice of the Republic of Kazakhstan on August 29, 2018 № 17327.

Unofficial translation

In accordance with sub-item 2) of item 2 of article 3-1 of the Law of the Republic of Kazakhstan dated July 13, 1999 "On the Protection of Selection Achievements", sub-item 2) of item 2 of article 4 of the Law of the Republic of Kazakhstan dated July 16, 1999 "Patent Law of the Republic of Kazakhstan", sub-item 2) of item 2 of article 3 of the Law of the Republic of Kazakhstan dated July 26, 1999 "On Trademarks, Service Marks and Appellation of Origin" and sub-item 2) of article 4 of the Law of the Republic of Kazakhstan dated June 29, 2001 "On Legal Protection of Integrated Circuit Topologies" **I HEREBY ORDER:**

1. To approve the attached Rules for provision of extracts from State Registers of selection achievements, inventions, utility models, industrial designs, trademarks and appellation of origin, integrated circuit topologies.

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

Rules for Granting Extracts from State Registers of Selection Achievements, Inventions, Utility Models, Industrial Designs, Trademarks, Geographical Indications and Appellations of Origin of Goods, Topographies of Integrated Circuits

Footnote. The Rules – as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 714 dated 26.08.2022 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

Chapter 1: General provisions

1. These Rules for Granting Extracts from the State Registers of Selection Achievements, Inventions, Utility Models, Industrial Designs, Trademarks, Geographical Indications and Appellations of Origin of Goods, Topologies of Integrated Circuits (hereinafter - the Rules) have been elaborated pursuant to sub-paragraph 2) of paragraph 2 of Article 3-1 of the Law of the Republic of Kazakhstan “On Protection of Selection Achievements”, sub-paragraph 2) of paragraph 2 of Article 4 of the Law of the Republic of Kazakhstan “Patent Law of the Republic of Kazakhstan”, sub-paragraph 2) of paragraph 2 of Article 3 of the Law of the Republic of Kazakhstan “On the Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods”, sub-paragraph 2) of Article 4 of the Law of the Republic of Kazakhstan “On Legal Protection of Topologies of Integrated Circuits” determine the procedure for granting extracts from the State Register of Selection Achievements, the State Register of Inventions, the State Register of Utility Models, the State Register of Industrial Designs, the State Registers of Trademarks, Geographical Indications, Appellations of Origin of Goods, the State Register of Topologies of Integrated Circuits of the Republic of Kazakhstan (hereinafter referred to as the State Registers).

2. The following basic concepts are used herein:

1) State Register of Geographical Indications - State Register of Registered Geographical Indications;

2) an applicant means a natural person or a legal entity applying for an extract from the State Register of Selection Achievements, Inventions, Utility Models, Industrial Designs, Trademarks, Geographical Indications and Appellations of Origin of Goods, Topographies of Integrated Circuits of the Republic of Kazakhstan;

3) State Register of Utility Models - State Register of Registered Utility Models;

4) patent attorneys - the nationals of the Republic of Kazakhstan, who in compliance with the laws of the Republic of Kazakhstan shall be entitled to represent natural persons and legal entities before the competent authority and expert organisation;

5) an expert organisation - an organisation established by the decision of the Government of the Republic of Kazakhstan approved by Decree of the Government of the Republic of Kazakhstan No. 756 dated July 11, 2002 “On the Establishment of the Republican State Enterprise “National Institute of Intellectual Property of the Committee for Intellectual Property Rights of the Ministry of Justice of the Republic of Kazakhstan”, in the organisational and legal form of a republican state enterprise under the right of economic management, subordinate in its activities to the competent authority;

6) State Register of Selection Achievements - the State Register of the Republic of Kazakhstan of protected plant varieties and the State Register of the Republic of Kazakhstan of protected animal breeds, including varieties, breeds for which patents have been granted;

7) owner (right holder) of a trademark or owner of the right to use a geographical indication and (or) appellation of origin of goods - a natural person or legal entity that has the exclusive right to a trademark or the exclusive right to use a geographical indication and (or) appellation of origin of goods pursuant to the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods”;

8) State Register of Appellations of Origin of Goods - State Register of Registered Appellations of Origin of Goods;

9) the competent public authority (hereinafter referred to as the “competent authority”) - a public authority exercising state regulation in the field of protection of trademarks, service marks, geographical indications and appellations of origin of goods, inventions, utility models, industrial designs, selection achievements, as well as topologies of integrated circuits;

10) e-government web portal (hereinafter - the portal) - an information system representing a single window of access to all consolidated government data, including the regulatory legal framework, and to government services, services for issuing technical conditions for connection to the networks of natural monopolies and services of quasi-public sector entities rendered in electronic form;

11) e-government payment gateway (hereinafter referred to as e-Government Payment Gateway) - an information system that automates the processes of transferring data on payments within the framework of rendering reimbursable services provided in electronic form;

12) an electronic digital signature (hereinafter - EDS) - a set of electronic digital symbols generated by means of EDS and confirming the authenticity of an electronic document, its ownership and invariability of its content.

Chapter 2: Procedure for Providing Extracts from the State Registers of Selection Achievements, Inventions, Utility Models, Industrial Designs, Trademarks, Geographical Indications and Appellations of Origin of Goods, Topographies of Integrated Circuits

3. Extracts from the State Registers shall be supplied by the expert organisation.

4. To obtain an extract, the applicant shall file with the expert organisation a request for an extract from the State Registers of Selection Achievements, Inventions, Utility Models, Industrial Designs, Trademarks, Geographical Indications and Appellations of Origin of Goods, Topographies of Integrated Circuits as per Appendix 1 hereto (hereinafter referred to as the Petition for an Extract).

5. The service shall be offered on a paid basis in line with the prices of the expert organisation posted in the Tariffs column on the website www.kazpatent.kz.

The payment shall be made by non-cash method via the payment gateway of the second level bank integrated with the information system of the expert organisation newcab.kazpatent.kz, based on the bank details necessary for payment for the services of the service provider, specified in Appendix 2 hereto.

When an application is sent via the portal, the status of the request acceptance shall be automatically displayed in the personal profile.

6. When an application for an extract is received by the expert organisation, an incoming registration number shall be assigned to it.

When an applicant applies after business hours, on weekends and public holidays under the labour legislation of the Republic of Kazakhstan and Article 5 of the Law of the Republic of Kazakhstan “On Holidays in the Republic of Kazakhstan”, applications for a statement shall be accepted on the following business day.

Within 2 (two) business days from the moment of registration of the document, the responsible executor shall verify the fact of receipt of payment for provision of the extract.

Details of the document confirming payment shall be obtained by the expert organisation from the relevant state information system via the e-government gateway.

Upon receipt of payment, within 3 (three) business days, the responsible executive shall form an extract with relevant data from the State Registers and forward it to the “personal profile” of the applicant in electronic form as per Appendices 3, 4, 5, 6, 7, 8, 9, 10, 11 hereto.

In the absence of payment, within 3 (three) business days the responsible executive officer shall prepare a reasoned refusal to provide an extract from the state registers of selection achievements, inventions, utility models, industrial designs, trademarks, geographical indications, and appellations of origin of goods, topologies of integrated circuits and forward it to the “personal profile” of the applicant in electronic form as per Appendix 12 hereto.

7. The grounds for refusal to issue an extract from the state registers of selection achievements, inventions, utility models, industrial designs, trademarks, geographical indications and appellations of origin of goods, topologies of integrated circuits shall be the absence of a document confirming the relevant payment.

8. The term for consideration of an application for an extract from the state register shall be five business days.

Chapter 3: Extracts from the state registers of selection achievements, inventions, utility models, industrial designs, trademarks, geographical indications and appellations of origin of goods, topologies of integrated circuits

9. An expert organisation shall present the following extracts from the state registers of selection achievements, inventions, utility models, industrial designs, trademarks, geographical indications and appellations of origin of goods, topologies of integrated circuits:

1) an extract from the State Register of Trademarks of the Republic of Kazakhstan as per Appendix 3 hereto;

2) an extract from the State Register of Geographical Indications of the Republic of Kazakhstan as per Appendix 4 hereto;

3) an extract from the State Register of Appellations of Origin of Goods of the Republic of Kazakhstan as per Appendix 5 hereto;

4) an extract from the State Register of Inventions of the Republic of Kazakhstan as per Appendix 6 hereto;

5) an extract from the State Register of Utility Models of the Republic of Kazakhstan as per Appendix 7 hereto;

6) an extract from the State Register of Industrial Designs of the Republic of Kazakhstan as per Appendix 8 hereto;

7) an extract from the State Register of Selection Achievements of the Republic of Kazakhstan as per Appendix 9 hereto;

8) an extract from the State Register of Trademarks of the Republic of Kazakhstan commonly known trademark as per Appendix 10 hereto;

9) an extract from the State Register of Integrated Circuit Topologies of the Republic of Kazakhstan as per Appendix 11 hereto.

Appendix 1
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

PETITION

on granting an extract from the State Registers of Selection Achievements, Inventions, Utility Models, Industrial Designs, Trademarks, Geographical Indications and Appellations of Origin of Goods, Geographical Indications and Appellations of Origin of Goods, Topologies of Integrated Circuits

Applicant: _____

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

Address: _____

Type of intellectual property item _____

Registration number or patent number _____

(Electronic digital signature)

Appendix 2
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

Bank details required for payment for the service provider's services

Recipient: National Institute of Intellectual Property Republican State Enterprise on the
Right of Economic Management of the Ministry of Justice of the Republic of Kazakhstan

Address: 8 non-residential premise, 57A Mangilik Yel Avenue, Yessil District, the city of
Nur-Sultan, 010000, Republic of Kazakhstan

BIN: 020940003199

Beneficiary Code: 16 payment purpose code: 859

Name of the bank: Individual Identity Code BIK (sort code):

Nurbank Joint Stock Company KZ8584905KZ006015415NURSKZKX

Halyk Bank of Kazakhstan Joint Stock Company KZ386010111000288323 HSBKKZKX,
KZ366017111000000792 HSBKKZKX

Subsidiary Bank of Sberbank Joint Stock Company KZ14914012203KZ0047J
SABRKZKA

Branch of ForteBank Joint Stock Company in the city of Nur-Sultan

KZ1096503F0007611692IRTYKZKA

Appendix 3
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

**EXTRACT FROM THE STATE REGISTER OF TRADEMARKS OF THE REPUBLIC OF
KAZAKHSTAN**

Date of generation of the extract:

Status:

(111) Registration sequence number:	(210) Application number:
(151) Date of registration:	(220) Date of application:
(450) Date of publication:	(181) Registration validity period:
(310)-(330) Number and date of the priority application:	
(540) Image of the trademark:	
(591) Colour indication:	
(730) Owner, address:	
(740) Patent attorney	
Other representative	
(511) List of goods and services:	
(526) Unprotected elements:	

(Electronic digital signature)

Appendix 4

to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

**EXTRACT FROM THE STATE REGISTER OF GEOGRAPHICAL INDICATIONS OF THE
REPUBLIC OF KAZAKHSTAN**

Date of generation of the extract:

Status:

(111) Registration number
(151) Date of registration
(210) Application number
(220) Date of application
(730) Owner, address
(540) Name
Geographical indication
Type of product
(450) Date of publication:
(181) Validity period

(Electronic digital signature)

Appendix 5

to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications

EXTRACT FROM THE STATE REGISTER OF APPELLATIONS OF ORIGIN OF GOODS OF THE REPUBLIC OF KAZAKHSTAN

Date of generation of the extract:

Status:

(111) Registration number
(151) Date of registration
(210) Application number
(220) Date of application
(730) Owner, address
(540) Name
Place of origin of goods
Type of product
(450) Date of publication:
(181) Validity period

(Electronic digital signature)

Appendix 6
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

EXTRACT FROM THE STATE REGISTER OF INVENTIONS OF THE REPUBLIC OF KAZAKHSTAN

Date of generation of the extract:

Status:

(11) Protection document number
(12) Word designation of the type of document
(21) Application number
(22) Date of application
(31, 32, 33) Priority data
(51) International Patent Classification
(54) Name
(73) Patent owner, address
(72) Author (s)
(74) Patent attorneys
(85) Date of transfer of the international application to the national phase

(86) Registration number of the international application and international filing date
(45) Number and date of the bulletin
Validity period
Change:

(Electronic digital signature)

Appendix 7
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

EXTRACT FROM THE STATE REGISTER OF UTILITY MODELS OF THE REPUBLIC OF KAZAKHSTAN

Date of generation of the extract:

Status:

(11) Protection document number
(12) Word designation of the type of document
(21) Application number
(22) Date of application
(31, 32, 33) Priority data
(51) International Patent Classification
(54) Name
(73) Patentee, address
(72) Author(s)
(74) Patent attorneys
(85) Date of transfer of the international application to the national phase
(86) Registration number of the international application and international filing date
(45) Number and date of the bulletin
Validity period
Change:

(Electronic digital signature)

Appendix 8
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

EXTRACT FROM THE STATE REGISTER OF INDUSTRIAL DESIGNS OF THE REPUBLIC OF KAZAKHSTAN

Date of generation of the extract:

Status:

(11) Protection document number
(12) Word designation of the type of document
(21) Application number
(22) Date of application
(31, 32, 33) Priority data
(51) International Classification for Industrial Designs
(54) Name of the industrial sample
Image
(73) Patentee, address
(72) Author(s)
(74) Patent attorneys
(45) Number and date of the bulletin
Validity period
Change:

(Electronic digital signature)

Appendix 9

to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

EXTRACT FROM THE STATE REGISTER OF SELECTION ACHIEVEMENTS OF THE REPUBLIC OF KAZAKHSTAN

Date of generation of the extract:

Status:

(11) Protection document number
(12) Word designation of the type of document
(21) Application number
(22) Date of application
(54) Name
(73) Patentee, address
(72) Author(s)
(74) Patent attorneys
(45) Number and date of the bulletin

Validity period
Change:

(Electronic digital signature)

Appendix 10
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

EXTRACT FROM THE STATE REGISTER OF TRADEMARKS OF THE REPUBLIC OF KAZAKHSTAN WELL-KNOWN TRADEMARK

Date of generation of the extract:

Status:

(111) Registration sequence number:	(220) Date of application:
(151) Date of registration:	(181) Registration validity period:
(152) Date recognised as publicly known	
(450) Date of publication:	
(540) Image of a well-known trade mark:	
(591) Indication of colours:	
(730) Owner, address:	
(740) Patent attorney	
Other representative	
(511) List of goods and services:	
Change:	

(Electronic digital signature)

Appendix 11
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

EXTRACT FROM THE STATE REGISTER OF INTEGRATED CIRCUIT TOPOLOGIES OF THE REPUBLIC OF KAZAKHSTAN

Date of generation of the extract:

Status:

(11) Registration number (certificate):
(12) Word designation of the type of document
(15) Date of registration:

(21) Application number:
(22) Date of application:
(54) Name of integrated circuit topology:
(73) Title holder, address:
(72) Author(s):
(45) Date of publication:

(Electronic digital signature)

Appendix 12
to the Rules for Granting from State
Registers of Selection Achievements,
Inventions, Utility Models, Industrial
Designs,
Trademarks, Geographical Indications
and Appellations of Origin of Goods,
Topographies of Integrated Circuits
Document form

REASONED REFUSAL

on granting an extract from the state registers of selective Selection Achievements, inventions, utility models, industrial designs, Trademarks, geographical indications and appellations of origin of goods, topologies of integrated circuits

Due to the lack of payment submitted by the applicant, National Institute of Intellectual Property Republican State Enterprise on the Right of Economic Management hereby refuses to issue an extract from the state registers of selection achievements, inventions, utility models, industrial designs, trademarks, geographical indications and appellations of origin of goods, topologies of integrated circuits.

(Electronic digital signature)