



**On approval of the Rules for registration of the transfer of the exclusive right, the granting of the right to use a trademark in the State Register of Trademarks**

*Unofficial translation*

Order of the Minister of Justice of the Republic of Kazakhstan of August 29, 2018 No. 1345. Registered with the Ministry of Justice of the Republic of Kazakhstan on September 4, 2018 No. 17331.

*Unofficial translation*

Under sub-paragraph 2) of paragraph 2 of Article 3 of the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” and sub-paragraph 1) of Article 10 of the Law of the Republic of Kazakhstan “On State Services” **I HEREBY ORDER:**

**Footnote. The Preamble - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).**

1. To approve the appended Rules for registration of the transfer of the exclusive right, the granting of the right to use a trademark in the State Register of Trademarks.

2. In accordance with the procedure established by the legislation of the Republic of Kazakhstan, the Department of Intellectual Property Rights of the Ministry of Justice of the Republic of Kazakhstan shall:

1) ensure state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days of the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, send it in Kazakh and Russian to the Republican State Enterprise with the Right of Economic Management “Republican Center of Legal Information” of the Ministry of Justice of the Republic of Kazakhstan for its official publication and inclusion into the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place this order on the official website of the Ministry of Justice of the Republic of Kazakhstan after its official publication.

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

4. This order shall take effect ten calendar days after its first official publication.

*Minister*

*M. Beketayev*

Approved

by order of the Minister of Justice

## **Rules for registration in the State Register of Trademarks of transfer of exclusive right, granting the right to use a Trademark**

**Footnote. Rules is in the wording by order of the Minister of Justice of the Republic of Kazakhstan dated 21.04.2020 No. 9 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).**

### **Chapter 1. General Provisions**

1. These Rules for Registration of the Transfer of Exclusive Right, Granting the Right to Use a Trademark in the State Register of Trademarks (hereinafter - the Rules) have been elaborated under the Laws of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” (hereinafter - the Law), “On State Services” (hereinafter - the Law on State Services), which set out the procedure for registration in the State Register of Trademarks of the Exclusive Right, Granting the Right to Use a Trademark, as well as determine the procedure for the provision of state services.

**Footnote. Paragraph 1 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall become effective ten calendar days after the date of its first official publication).**

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

1) exclusive right - property right of the owner to use a trademark or appellation of origin of goods in any way at his own discretion;

2) bulletin - an official periodical publication on protection of trademarks;

3) patent attorneys - citizens of the Republic of Kazakhstan who, in accordance with the legislation of the Republic of Kazakhstan, shall be granted the right to represent individuals and legal entities before the authorized authority and expert organization;

4) Singapore Treaty - Singapore Treaty on the Law of Trademarks dated March 27, 2006;

5) owner of a trademark - an individual or legal entity that has the exclusive right to a trademark;

6) trademark, service mark (hereinafter referred to as a trademark) shall be a designation registered in accordance with the Law or protected without registration by virtue of international treaties in which the Republic of Kazakhstan participates, serving to distinguish goods (services) of certain legal entities or individuals from homogeneous goods (services) of other legal entities or individuals.

7) web portal of "electronic government" [www.egov.kz](http://www.egov.kz), [www.elicense.kz](http://www.elicense.kz) (hereinafter referred to as the portal) - an information system that is a single window of access to all consolidated government information, including the regulatory legal framework, and to public services, services for issuance of technical specifications for connection to networks of

natural monopoly entities and services of quasi-public sector entities provided in electronic form;

8) payment gateway of "electronic government" (hereinafter referred to as PGEG) - an information system that automates the processes of transferring information about making payments as part of the provision of paid services provided in electronic form;

9) electronic digital signature (hereinafter referred to as EDS) - a set of electronic digital symbols created by means of an electronic digital signature and confirming the authenticity of an electronic document, its ownership and invariability of its content.

## **Chapter 2. The procedure for registering transfer of exclusive right to a trademark**

3. The state service "Registration of transfer of exclusive rights to the trademark, selection achievement and object of industrial property, as well as the topology of the integrated circuit" (hereinafter referred to as the state service) shall be provided by the Republican State Enterprise on the right of economic management "National Institute of Intellectual Property" of the Ministry of Justice of the Republic of Kazakhstan (hereinafter referred to as the service provider).

**Footnote. Paragraph 3 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 15.06.2021 № 508 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

4. To obtain a state service, a natural and (or) legal person (hereinafter referred to as the service recipient) shall forward via the portal an application accompanied by the documents specified in paragraph 8 of the list of basic requirements for the provision of the state service "Registration of the Transfer of Exclusive Rights to a Trademark, Selection Achievement and Industrial Property Object, as well as Integrated Circuit Topology" as per Appendix 1 (hereinafter referred to as the list) in the form of an electronic document signed by EDS, as per Appendices 2 and 3 hereto.

**Footnote. Paragraph 4 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall be put into effect ten calendar days after the date of its first official publication).**

5. The list of basic requirements for the provision of state services, including the characteristics of the process, form, content and result of provision, as well as other data, with due regard to the peculiarities of the provision of state services, is provided in the list.

Payment shall be made by non-cash method via the payment gateway of the second level bank integrated with the information system of the service provider newcab.kazpatent.kz by bank details specified in Appendix 4 (hereinafter referred to as Appendix 4) hereto.

When a service recipient sends an application via the portal, the status of accepting a request for a state service shall be automatically displayed in the "personal profile".

Footnote. Paragraph 5 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 of 31.08.2022 (shall be effective ten calendar days after the date of its first official publication).

6. Application for registration and documents attached thereto shall be submitted in Kazakh or Russian languages. Foreign names and names of legal entities shall be indicated in Kazakh or Russian transliteration.

Individuals permanently residing in the Republic of Kazakhstan, but temporarily outside its borders, can exercise their rights as an applicant, as well as the rights of an interested person without a patent attorney when specifying an address for correspondence within the Republic of Kazakhstan.

The examination and registration of contracts on transfer of rights, one of the parties to which is a natural or legal person of a foreign state party to the Singapore Treaty, shall be carried out in accordance with the provisions of the Singapore Treaty.

7. The application for the provision of public service shall be automatically assigned a registration number at the time of receipt by the service provider.

When the service recipient applies after the end of working hours, on weekends and holidays in accordance with the labor legislation of the Republic of Kazakhstan, the acceptance of applications and the issuance of the results of the provision of public service shall be carried out the next working day.

The service provider shall check the completeness of documents within two (2) working days from the date of registration.

If the service recipient submits an incomplete package of documents or there is no information necessary for the provision of the state service in accordance with these rules, the service provider shall send a notification to the service recipient within the terms specified in part three of this paragraph indicating which requirements the package of documents shall not meet.

The period for bringing the documents specified in the notification into compliance shall be 2 (two) working days from the date of receipt of the notification by the service provider.

If, within two (2) working days from the date of receipt of the notification, the service recipient has not brought it into compliance with the requirements, the service provider shall send a refusal to further consider the application in accordance with Annex 6 to the Rules.

The service provider shall receive information about the document confirming payment from the corresponding state information system through the "electronic government" gateway.

Based on the results of checking the relevant documents and payment, as well as in the absence of grounds for refusal, the service provider within 5 (five) working days shall prepare a notification on the provision of state service and shall send it to the "personal account" of the service recipient in electronic form in accordance with Annex 5 to these Rules.

When making a decision on refusal to provide a public service, the service provider shall within one (1) working day notify the service recipient of the preliminary decision on refusal to provide a public service, as well as the time and place (method) of hearing to enable the service recipient to express a position on the preliminary decision.

A notice of hearing shall be sent at least three (3) working days prior to the completion of the term of the public service. The hearing shall be held no later than two (2) working days from the date of notification.

Based on the results of the hearing, the service provider shall issue a permit or a reasoned refusal to provide public service.

**Footnote. Paragraph 7 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 15.06.2021 № 508 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

8. In case of registration, the service provider publishes information in the bulletin about the registration of transfer of exclusive right to a trademark.

9. The service provider shall ensure that data on the stage of provision of a state service shall be entered into the information system for monitoring the provision of state services under the procedure set by the competent authority responsible for informatisation, as per sub-paragraph 11) of Article 5 of the Law on State Services.

In case of amendments and (or) additions hereto, the competent authority shall forward information on such amendments and (or) additions to the operator of the information and communication infrastructure of the electronic government, to the Unified Contact Centre, to the service provider within 10 (ten) business days after the state registration of the relevant regulatory legal act with the justice authorities.

**Footnote. Paragraph 9 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall enter into force ten calendar days after the date of its first official publication).**

### **Chapter 3. Procedure for registration of granting the right to use trademark.**

10. The state service "Registration of granting the right to use the trademark, selection achievement and object of industrial property, as well as the topology of the integrated circuit" (hereinafter referred to as the state service) shall be provided by the service provider.

**Footnote. Paragraph 10 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 15.06.2021 № 508 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

11. To obtain a state service, a natural and (or) legal person (hereinafter referred to as the service recipient) shall send via the portal an application accompanied by the documents listed in paragraph 8 of the list of basic requirements for the provision of the state service "Registration of the Granting of the Right to Use a Trademark, Selection Achievement and Industrial Property Object, as well as Topology of an Integrated Circuit" as per Appendix 7 (

hereinafter referred to as the list) in the form of an electronic document signed by EDS, as per Appendices 8, 9 and 10 hereto.

**Footnote. Paragraph 11 – as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall be put into effect ten calendar days after the date of its first official publication).**

12. The list of basic requirements for the provision of state services, including the characteristics of the process, form, content and result of provision, as well as other data, with due regard to the peculiarities of the provision of state services, is provided in the list.

Payment shall be made by non-cash method through the payment gateway of a second-tier bank integrated with the information system of service provider newcab.kazpatent.kz using the bank details specified in Appendix 4 to these Rules.

When the service recipient sends an application through the portal, the status of acceptance of request for provision of public services shall be automatically displayed in the "personal account".

**Footnote. Paragraph 12 as amended by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall be enforced upon expiration of ten calendar days after the day of its first official publication).**

13. The application for registration and the documents attached thereto shall be submitted in Kazakh or Russian languages. Foreign names and titles of legal entities shall be indicated in Kazakh or Russian transliteration.

Individuals permanently residing in the Republic of Kazakhstan, but temporarily outside its borders, can exercise their rights as an applicant, as well as the rights of an interested person without a patent attorney when specifying an address for correspondence within the Republic of Kazakhstan.

The examination and registration of contracts on transfer of rights, one of the parties to which is an individual or legal person of a foreign state party to the Singapore Treaty, shall be carried out in accordance with the provisions of the Singapore Treaty.

14. The application for the provision of public service shall be automatically assigned a registration number at the time of receipt by the service provider.

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

The service provider shall check the completeness of documents within two (2) working days from the date of registration.

If the service recipient submits an incomplete package of documents or there is no information necessary for the provision of the state service in accordance with these Rules,



the service provider shall send a notification to the service recipient within the terms specified in part three of this paragraph indicating which requirements the package of documents shall not meet.

The period for bringing the documents specified in the notification into compliance shall be 2 (two) working days from the date of receipt of the notification by the service provider.

If, within two (2) working days from the date of receipt of the notification, the service recipient has not brought it into compliance with the requirements, the service provider shall send a refusal to further consider the application in accordance with Annex 13 to these Rules.

The service provider shall receive information about the document confirming payment from the corresponding state information system through the "electronic government" gateway.

Based on the results of checking the relevant documents and payment, as well as in the absence of grounds for refusal, the service provider within 5 (five) working days shall prepare a notification on the provision of state service and shall send it to the "personal account" of the service recipient in electronic form in accordance with Annexes 11, 12 to these Rules.

When making a decision on refusal to provide a public service, the service provider shall within one (1) working day notify the service recipient of the preliminary decision on refusal to provide a public service, as well as the time and place (method) of hearing to enable the service recipient to express a position on the preliminary decision.

A notice of hearing shall be sent at least three (3) working days prior to the completion of the term of the public service. The hearing shall be held no later than two (2) working days from the date of notification.

Based on the results of the hearing, the service provider shall issue a permit or a reasoned refusal to provide public service.

**Footnote. Paragraph 14 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 30.06.2021 № 550 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

15. In case of registration, the service provider publishes in the bulletin information about the registration of granting the right to use trademark.

16. The service provider shall ensure that data on the stage of provision of state services shall be entered into the information system for monitoring the provision of state services under the procedure prescribed by the competent authority in the field of informatisation, pursuant to subparagraph 11) of Article 5 of the Law on State Services.

In case of amendments and (or) additions hereto, the competent authority shall send information on such amendments and (or) additions to the operator of the information and communication infrastructure of the electronic government, to the Unified Contact Centre, to the service provider within 10 (ten) business days after the state registration of the relevant regulatory legal act with the justice authorities.

Footnote. Paragraph 16 - as reworded by Order of the Acting Minister of Justice of the Republic of Kazakhstan No. 876 dated 21.10.2022 (shall take effect ten calendar days after the date of its first official publication).

#### **Chapter 4. The procedure for appealing decisions, actions (inaction) of service provider and (or) its officials on provision of public services**

17. A complaint about the decision, actions (inaction) of employees of structural divisions 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) is appealed, shall, no later than three (3) working days from the date of receipt of the complaint, send it to the body considering the complaint.

At the same time, the service provider, official, decision, action (inaction) shall be appealed, not to send a complaint to the body considering the complaint, if within 3 (three) working days it takes a decision or an administrative action 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 on Public Services, shall be subject to consideration within 5 (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 15 (fifteen) working days from the date of its registration.

Footnote. Paragraph 17 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 30.06.2021 № 550 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

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

Annex 1 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage



**List of basic requirements for the provision of a state service**

**“Registration of the Transfer of Exclusive Right to a Trademark, Selective Breeding Achievement and Industrial Property Object, as well as the Topology of an Integrated Circuit”**

Footnote. Appendix 1 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall be enacted ten calendar days after the date of its first official publication).

1	Name of the service provider	National Institute of Intellectual Property Republican State Enterprise on the Right of Economic Management of the Ministry of Justice of the Republic of Kazakhstan (hereinafter – NIIP RSE on REM).
2	Ways of rendering the state service	Via e-government web portal: <a href="http://www.egov.kz">www.egov.kz</a> (hereinafter referred to as the portal)
3	Term of rendering the state service	10 (ten) business days
4	Form of provision of state service	Electronic (fully automated) one
5	Result of rendering a state service	Notification of registration of the transfer of exclusive right to the trademark or a reasoned response on refusal to provide the state service. The form of granting the result of rendering a state service shall be electronic.
6	The amount of payment charged from the service recipient when rendering a state service and methods of its collection in cases stipulated by the laws of the Republic of Kazakhstan	The state service shall be rendered on a paid basis pursuant to the Prices for services in the field of protection of trademarks, approved under paragraph 2 of Article 3-1 of the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” and placed on the official websites of the competent authority <a href="http://www.adilet.gov.kz">www.adilet.gov.kz</a> and the service provider <a href="http://www.kazpatent.kz">www.kazpatent.kz</a> . The payment shall be made by non-cash method via payment gateway of the bank of the second level integrated with the information system of the service provider <a href="http://newcab.kazpatent.kz">newcab.kazpatent.kz</a> .
		The service provider - from Monday to Friday as per the established work schedule from 9.00 a.m. to 6.30 p.m.

7	Working hours	<p>, excluding weekends and public holidays under the Labour Code of the Republic of Kazakhstan with a lunch break from 1.00 p.m. to 2.30 p.m.</p> <p>Portal - round the clock, excluding technical interruptions due to repair works (when a service recipient applies after working hours, on weekends and public holidays, acceptance of an application and issuance of the result of rendering a public service shall be performed on the following business day under the labour legislation of the Republic of Kazakhstan).</p>
8	List of documents and data required from the service recipient for rendering the state service	<p>1) an application of a natural person and a legal entity for registration of the transfer of the exclusive right to use a trademark under a contract of assignment/partial assignment in electronic form as per Appendices 2 and 3 hereto;</p> <p>2) an electronic copy of the agreement on the transfer of the exclusive right to use the trademark or a notarised copy of the agreement;</p> <p>3) an electronic copy of the decision of the management bodies of the owner of the protection document or exclusive rights, or of the general meeting of founders/shareholders on the issue of the conclusion of the contract and the submission of the authority to sign the contract by the head of the company when the application is submitted by the national service recipient;</p> <p>4) an electronic copy of the power of attorney if the application is filed by a representative.</p> <p>Data on the document confirming the payment shall be obtained by the service provider from the relevant state information system via the e-government gateway.</p>
		<p>1) expiry of the term for restoration of the terminated term of the exclusive right to the object;</p> <p>2) expiry of the term for elimination of the grounds temporarily preventing registration;</p>

9	<p>Grounds for refusal to provide a state service specified by the laws of the Republic of Kazakhstan</p>	<p>3) receipt of an application for registration from a person who is not a party to the agreement;  4) failure to register a licence agreement or an additional agreement thereto;  5) the party has assumed obligations preventing the granting of the right to use the object;  6) misrepresentation of the goods or their manufacturer when transferring the right to a trademark;  7) if there is no consent of the service recipient, granted under Article 8 of the Law of the Republic of Kazakhstan “On Personal Data and their Protection”, for access to personal data of limited access, which are required for the provision of state services.</p> <p>If the requirements to the execution of documents are violated or there are grounds preventing the registration of the agreement, but which are eliminated, the service provider shall forward a notice to the service recipient with a proposal to provide the missing or corrected documents or to make the necessary amendments and additions within three months from the date of its dispatch. In such a case, the deadline for verification of documents shall be calculated from the date of filing of missing or corrected documents;</p>
10	<p>Other requirements with due regard to the specifics of the provision of a state service, including those rendered in electronic form and via the State Corporation</p>	<p>1) the service recipient has a possibility to obtain data on the procedure and status of rendering the state service in the remote access mode via the "personal profile" of the portal, as well as the unified contact centre 1414, 8-800-080-7777 ;  2) contact telephone numbers of reference services on the issues of rendering the state service are available on the internet resources of the competent authority <a href="http://www.adilet.gov.kz">www.adilet.gov.kz</a> and the service provider <a href="http://www.kazpatent.kz">www.kazpatent.kz</a>.</p>

**APPLICATION on the transfer of the exclusive right under the assignment agreement**

Footnote. Appendix 2 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall be enforced ten calendar days after the date of its first official publication).

I kindly ask you to register the transfer of the exclusive right under the assignment agreement in respect of the protection document(s) mentioned in this application.

1. Name(s) and number(s) of the security document(s):

\_\_\_\_\_

2. Owner (surname, name, patronymic (if any) (hereinafter - full name) of a natural person / name of a legal entity; legal address):

\_\_\_\_\_

3. Legal successor (full name of a natural person / name of a legal entity; legal address):

\_\_\_\_\_

4. Patent attorney or other representative of the applicant

\_\_\_\_\_

5. Address for correspondence, contact telephone number

\_\_\_\_\_

6. I hereby consent to the collection and processing of personal data under Article 8 of the Law of the Republic of Kazakhstan “On Personal Data and their Protection”.

Full name \_\_\_\_\_

Enclosures:

✓  
Agreement on \_\_ sheets;

✓  
Power of Attorney confirming the authority of a patent attorney or other authorised representative on \_\_ sheets in \_\_ copies;

✓

Document confirming payment for the services of the service provider;



Other document (please specify)

Date  
(full name)

EDS  
(role)

Annex 3 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Document form

**APPLICATION on transfer of the exclusive right under the partial assignment agreement**

**Footnote. Appendix 3 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall become effective ten calendar days after the date of its first official publication).**

I kindly ask you to register the transfer of the exclusive right under the partial assignment agreement in respect of the protection document(s) indicated in this application.

1. Name(s) and number(s) of the security document(s):

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2. Owner (full name (hereinafter - full name) of a natural person / name of a legal entity; legal address):

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3. Legal successor (full name of a natural person / name of a legal entity; legal address):

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4. Patent attorney or other representative of the applicant

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5. Scope of transferable rights envisaged by the agreement

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6. Address for correspondence, contact telephone number

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7. I hereby consent to the collection and processing of personal data under Article 8

of the Law of the Republic of Kazakhstan “On Personal Data and their Protection”.

Full name \_\_\_\_\_

Enclosures:

✓  
Agreement on \_\_ sheets;

✓  
Power of Attorney confirming the authority of a patent attorney or other authorised representative on \_\_ sheets in \_\_ copies;

✓  
Document confirming payment for the services of the service provider;

✓  
Other document ( please specify)

✓  
Date  
EDS (full name)  
(role)

Annex 4 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Document form

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

**Footnote. Appendix 4 - as reworded by Order of the Acting Minister of Justice of the Republic of Kazakhstan No. 876 dated 21.10.2022 (shall take effect ten calendar days after the date of its first official publication).**

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-residnet premises, 57A Mangilik Yel Avenue, Yessil District, the city of Astana, 010000, Republic of Kazakhstan

BIN: 020940003199

Beneficiary Code: 16

Payment purpose code: 859



Bank name, IIC, BIK (sort code): Nurbank Joint Stock Company KZ8584905KZ006015415NURSKZKX

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

Bereke Bank Joint Stock Company KZ14914012203KZ0047J SABRKZKA

Branch of ForteBank Joint Stock Company in the city of Astana KZ1096503F0007611692IRTYKZKA

Annex 5 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Document form

**Agreement registration number:**

**Date of registration of the agreement:**

**Titleholder:**

**Legal successor:**

**NOTIFICATION on rendering the state service “Registration of the Transfer of Exclusive Rights to a Trademark, Breeding Achievement and Industrial Property Object, as well as Topology of an Integrated Circuit”**

**Footnote. Appendix 5 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall come into effect ten calendar days after the date of its first official publication).**

National Institute of Intellectual Property of the Ministry of Justice of the Republic of Kazakhstan "Republican State Enterprise on the Right of Economic Management" hereby notifies that under paragraph \_ of Article \_ of the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” the transfer of the exclusive right under the agreement of (partial) assignment of rights to the trademark No. \_ has been registered in the State Register of Trademarks of the Republic of Kazakhstan.

(Electronic digital signature)

Annex 6 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Form

**Date of registration of the agreement:**

**Copyright Holder, Licensor (Sublicensor),**

**Comprehensive Licensor (Sublicensor):**  
**Assignee, Licensee (Sublicensee),**  
**Complex Licensee (Sublicensee):**

**MOTIVATED REFUSAL**

**further consideration of the application**

**Footnote. Paragraph 6 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 15.06.2021 № 508 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).**

The Republican Institute of Intellectual Property of the Ministry of Justice of the Republic of Kazakhstan shall report that in connection with the \_\_\_\_\_, according to Article 19 of the Law of the Republic of Kazakhstan "On Public Services," the application was refused further consideration.

(Electronic digital signature)

Annex 7 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Document form

**List of basic requirements for the delivery of the state service “Registration of the Granting of the Right to Use a Trademark, Selection Achievement and Industrial Property Object, as well as Topology of an Integrated Circuit”**

**Footnote. Appendix 7 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall become effective ten calendar days after the date of its first official publication).**

1	Name of the service provider	National Institute of Intellectual Property Republican State Enterprise on the Right of Economic Management of the Ministry of Justice of the Republic of Kazakhstan (hereinafter – NIIP RSE REM)
2	Ways of delivering the state service	Via the e-government web portal: www.egov.kz (hereinafter referred to as the portal).
3	Term of rendering the state service	10 (ten) business days
4	Form of rendering a state service	Electronic (fully automated) one
5	Result of rendering a state service	Notification on registration of granting the right to use the trademark or a reasoned response on refusal to render the state service.

		The form of delivery of the result of rendering a state service shall be electronic.
6	The amount of payment charged from the service recipient when delivering a state service and the ways of its collection in cases stipulated by the laws of the Republic of Kazakhstan	The state service shall be offered on a paid basis as per the Prices for Services in the Field of Trademark Protection, approved as per paragraph 2 of Article 3-1 of the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” and placed on the official websites of the competent authority <a href="http://www.adilet.gov.kz">www.adilet.gov.kz</a> and the service provider <a href="http://www.kazpatent.kz">www.kazpatent.kz</a> . The payment shall be made by non-cash method via payment gateway of the bank of the second level integrated with the information system of the service provider <a href="http://newcab.kazpatent.kz">newcab.kazpatent.kz</a> .
7	Working hours	Service Provider – from Monday to Friday, as per the established work schedule from 9.00 a.m. to 6.30 p.m. , excluding weekends and public holidays under the Labour Code of the Republic of Kazakhstan, with a lunch break from 1.00 p.m. to 2.30 p.m. Portal - round the clock, excluding technical interruptions due to repair works (when a service recipient applies after business hours, on weekends and public holidays, acceptance of an application and issuance of the result of rendering a public service shall be performed on the following business day under the labour legislation of the Republic of Kazakhstan).
		1) an application of a natural person or a legal entity for registration of granting the right to use a trademark under a licensing agreement, a complex business licence agreement or other agreement including the terms and conditions of the licensing agreement in electronic form as per Appendices 8, 9 and 10 hereto; 2) an electronic copy of the agreement on granting the right to use the trademark (licence agreement

8	List of documents and information required from the service recipient for rendering the state service	<p>, complex business licence agreement or other agreement);</p> <p>3) an electronic copy of the decision of the management bodies of the owner of the protection document or exclusive rights, or of the general meeting of founders/shareholders on the issue of the conclusion of the contract and the submission of the authority to sign the contract by the head of the company when the application is filed by the national service recipient;</p> <p>4) an electronic copy of the power of attorney when submitting the application by a representative;</p> <p>Information on the document confirming the payment shall be obtained by the service provider from the relevant state information system via the e-government gateway.</p>
9	Grounds for refusal to render a state service, stipulated by the laws of the Republic of Kazakhstan	<p>1) expiry of the term for restoration of the terminated term of the exclusive right to the object;</p> <p>2) expiry of the term for elimination of the grounds temporarily preventing registration;</p> <p>3) receipt of an application for registration from a person who is not a party to the agreement;</p> <p>4) failure to register a licence agreement or an additional agreement thereto;</p> <p>5) the party has assumed obligations that prevent the granting of the right to use the object;</p> <p>6) misrepresentation of the goods or their manufacturer when transferring the right to a trademark;</p> <p>7) in the absence of the service recipient's consent, granted under Article 8 of the Law of the Republic of Kazakhstan "On Personal Data and their Protection", for access to personal data of limited access, which are required for the provision of state services.</p> <p>If the requirements to the execution of documents are breached or there are grounds preventing the registration of the agreement, but which are being eliminated, the</p>

		service provider shall issue a notice to the service recipient with a proposal to provide the missing or corrected documents or to make the necessary amendments and additions within three months from the date of its dispatch. In such a case, the deadline for verification of documents shall be calculated from the date of filing of missing or corrected documents.
10	Other requirements with regard to the peculiarities of the provision of state services, including those delivered in electronic form and via the State Corporation	1) the service recipient has the opportunity to receive information on the procedure and status of the provision of state services in the remote access mode via the "personal profile" of the portal, as well as the unified contact centre 1414, 8-800-080-7777; 2) contact telephone numbers of reference services on the issues of rendering the state service are available on the internet resources of the competent authority www.adilet.gov.kz and the service provider www.kazpatent.kz.

Appendix 8  
to the Rules for registration in  
the State Register of  
Trademarks of transfer  
of exclusive rights,  
granting the right  
to use trademark  
Form

## APPLICATION

### on granting rights under license or sublicense agreement

Request to register the granting of rights under license or sublicense agreement in relation to the title of protection (titles of protection) specified (specified) in this application.

1. Name (names) and number (numbers) of the title of protection (title of protection):

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2. Licensor (Sublicensor) (full name, if any (hereinafter referred to as the full name) of an individual/name of legal entity 5; legal address):

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3. Licensee (Sublicensee) (full name of an individual/name of legal entity 6; legal address):

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4. Patent attorney or other representative of the applicant

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5. Scope of the transferred rights, taking into account the types of use provided by contract

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6. Correspondence address, contact phone number

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Appendices:

✓ Agreement on \_\_ lists;

✓ Power of attorney confirming the powers of a patent attorney or other authorized representative on \_\_ lists in \_\_ copies;

✓ A document confirming payment for services of service provider;

✓ Other document (specify)

Date	EDS (full name)
	(role)

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<sup>5</sup> Foreign names of legal entities shall be indicated in Kazakh and Russian transliteration

<sup>6</sup> Foreign names of legal entities shall be indicated in Kazakh and Russian transliteration

Appendix 9  
to the Rules for registration in  
the State Register of  
Trademarks of transfer  
of exclusive rights,  
granting the right  
to use trademark  
Form

**APPLICATION**  
**on provision of rights under comprehensive business**  
**license or sublicense (franchising) agreement**





Date												EDS (full name)
												(role)

<sup>7</sup> Foreign names of legal entities shall be indicated in Kazakh and Russian transliteration

<sup>8</sup> Foreign names of legal entities shall be indicated in Kazakh and Russian transliteration

Appendix 10  
to the Rules for registration in  
the State Register of  
Trademarks of transfer  
of exclusive rights,  
granting the right  
to use trademark  
Form

**APPLICATION  
on registration of additional agreement to license  
(sublicense, comprehensive business license) agreement**

Request to register additional agreement to license (sublicense, comprehensive business license) agreement concluded in relation to the title of protection (title of protection) specified in this application.

1. Name (names) and number (numbers) of the title of protection (title of protection):

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2. Registration number and date of registration of contract:

3. Licensor (Sublicensor, Comprehensive Licensor) (Surname, Name, Patronymic (if any) (hereinafter referred to as the full name) of an individual/name of legal entity\*; legal address):

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4. Licensee (Sublicensee, Comprehensive Licensee) (full name of an individual/name of legal entity\*; legal address):

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5. Patent attorney or other representative of the applicant:

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6. Correspondence address, contact phone number:

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Appendices:



✓ Agreement on \_\_\_ lists;

✓ Power of attorney confirming the powers of a patent attorney or other authorized representative on \_\_\_ lists in \_\_\_ copies;

✓ A document confirming payment for services of service provider;

✓ Other document (specify)

Date	EDS (full name)
	(role)

<sup>5</sup> Foreign names of legal entities shall be indicated in Kazakh and Russian transliteration

<sup>6</sup> Foreign names of legal entities shall be indicated in Kazakh and Russian transliteration

Annex 11 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Document form

**Agreement registration number:**

**Date of registration of the agreement:**

**Licensor (Sublicensor):**

**Licensee (Sublicensee):**

**NOTIFICATION on rendering the state service “Registration of the Granting of the Right to Use a Trademark, Selection Achievement and Industrial Property Object, as well as Topology of an Integrated Circuit”**

**Footnote. Appendix 11 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall go into effect ten calendar days after the date of its first official publication).**

National Institute of Intellectual Property Republican State Enterprise on the Right of Economic Management of the Ministry of Justice of the Republic of Kazakhstan hereby notifies that under paragraph \_ of Article \_ of the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” granting (not) exclusive (sub) licence under the licence agreement for the use of trademark No.\_ has been registered in the State Register of Trademarks of the Republic of Kazakhstan.

(Electronic digital signature)

Annex 12 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Document form

**Agreement registration number:**  
**Date of registration of the agreement:**  
**Integrated Licensor (Sublicensor):**  
**Integrated Licensee (Sublicensee):**

**NOTIFICATION on rendering the state service “Registration of the Granting of the Right to Use a Trademark, Selection Achievement and Industrial Property Object, as well as Topology of an Integrated Circuit”**

**Footnote. Appendix 12 - as reworded by Order of the Minister of Justice of the Republic of Kazakhstan No. 736 dated 31.08.2022 (shall enter into force ten calendar days after the date of its first official publication).**

National Institute of Intellectual Property Republican State Enterprise on the Right of Economic Management of the Ministry of Justice of the Republic of Kazakhstan hereby notifies that under paragraph \_ of Article \_ of the Law of the Republic of Kazakhstan “On Trademarks, Service Marks, Geographical Indications and Appellations of Origin of Goods” the agreement of complex business (sub) licence on granting (not) exclusive licence to use trademark (s) No. \_ has been registered in the State Register of Trademarks the Republic of Kazakhstan.

(Electronic digital signature)

Annex 13 to the Rules  
for registration with the State  
trademark register transfer  
exceptional rights, granting the  
right to trademark usage

Form

**Agreement Registration Number:**  
**Date of registration of the agreement:**  
**Patentee, Licensor (Sublicensor), Complex Licensor (Sublicensor):**  
**Assignee, Licensee (Sublicensee),**  
**Complex Licensee (Sublicensee):**

**MOTIVATED REFUSAL**  
**further consideration of the application**

Footnote. Paragraph 12 - in the wording of the order of the Minister of Justice of the Republic of Kazakhstan dated 15.06.2021 № 508 (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

The Republican Institute of Intellectual Property of the Ministry of Justice of the Republic of Kazakhstan shall report that in connection with the \_\_\_\_\_, according to Article 19 of the Law of the Republic of Kazakhstan "On Public Services," the application was refused further consideration.

(Electronic digital signature)