



**GRATA**  
INTERNATIONAL

# License agreement and personal data protection in Georgia

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2021

**GRATA International Georgia**

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# License Agreement Regulation

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Exclusive License – exclusive right granted to the licensee

Conventional License – the right to use the work on an equal basis. End-user agreements. End-User software License Agreement.

Form of the Agreement – in writing.

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# License Agreement Regulation

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## Content requirements:

- Exact description of the product / work.
- Specific form of the use of product / work.
- Term and territory.
- Royalty
- Procedure and time of payment

# Governing Law:

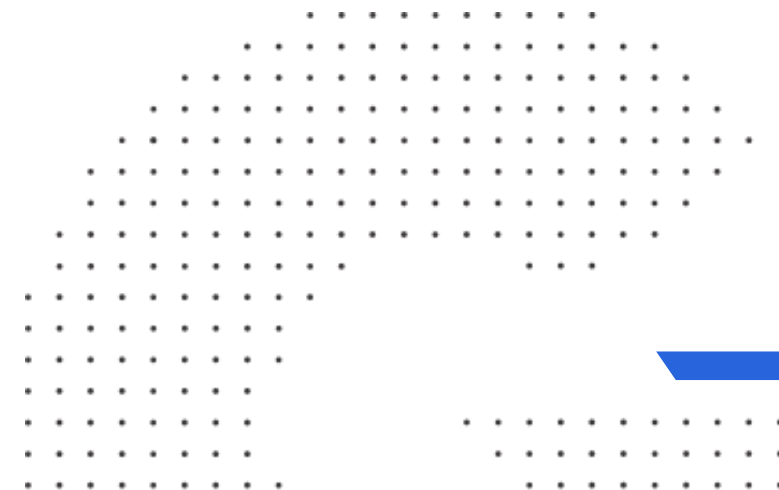
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Free to choose foreign law

## Article 5 - Public order

**The rules of a foreign law shall not be applied in Georgia, if it contradicts the basic legal principles of Georgia.**

The rules of a foreign law chosen by the parties to govern the contract shall not be applied in Georgia if it contradicts the basic legal principles (ordre public) of Georgia. In addition, imperative rules of the law of Georgia are still applicable (e.g. provisions regulating consumer protection, product liability, etc.).



# Personal Data Protection

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When does the Law of Georgia on Personal Data Protection apply:

- Processing of data by automatic means
  - Processing of data by other than automatic means, if data forms part of a filing system.
  - Activities of a data processor not registered in Georgia, but applying technical means located in Georgia (necessity to appoint a registered representative)
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# Privacy Notice

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- Consent of the data subject
  - Legitimate grounds for data processing – necessary for the protection of legitimate interests of a data processor or a third party.
  - Information on which data is collected and how the data is used.
  - Information if the data is shared
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# Cross-border Transfer

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- Consent of the data subject on cross-border transfer
  - Consent of the State Inspector's Service for cross-border transfer of the data (exceptions apply, e.g., EU countries)
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# THANK YOU!

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**QUESTIONS?**