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The sanction for violation of intellectual property rights has been toughened in Uzbekistan

Uzbekistan adopted the Law “On amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the improvement of legislation on intellectual property objects” No.3PY-749 dated February 2, 2022 (the “Law No.3PY-749”).

In accordance with Law No.3PY-749, the Law of the Republic of Uzbekistan “On inventions, utility models and industrial designs” dated May 6, 1994 was supplemented with a new section “Grounds and procedure for imposing a fine, as well as the procedure for paying a fine by legal entities for violation of legislation on industrial property objects”. This section establishes the grounds of liability for violation of the legislation on industrial property objects in the form of a fine on legal entities from 100 to 200 basic calculated value (approximately from USD 2,491 to 4,982). These grounds include unauthorized manufacture, use, import, offer for sale, sale, other introduction into civil circulation or storage for this purpose of a product containing the corresponding patented subject matter of industrial property, as well as the use of a method protected by a patent for an invention, or introduction into civil circulation or storage for this purpose of a product manufactured directly by the method protected by a patent for an invention.

The Law No.3PY-749 also establishes the imposition of a fine on legal entities in the amount of 100 to 200 basic calculated value (approximately from USD 2,491 to 4,982) for the illegal use of a trademark, appellation of origin or confusingly similar designations for similar goods, as well as for the illegal use of a trade name.

It should be noted that the Agency for Intellectual Property under the Ministry of Justice of the Republic of Uzbekistan is the authorized body with the right to impose corresponding fines. The decision to impose a fine is made within 5 (five) business days from the date of execution of the act on the detection of the offense.

Practice areas

INTELLECTUAL PROPERTY

Locations

UZBEKISTAN