

REGULATION RELATING TO THE EXTENSION OF THE SCOPE OF ACT 15 JUNE 1990 NO 27 RELATING TO THE PROTECTION OF LAYOUT-DESIGNS FOR INTEGRATED CIRCUITS

Adopted by the Ministry of Justice 27 December 1995
Pursuant to article 10 of Act 15 June 1990 no 27 relating to the protection of layout-designs
for integrated circuits, cf. Royal Decree 17 December 1993

§ 1. Act 15 June 1990 no 27 relating to the protection of layout-designs for integrated circuits (the Layout-design Act) applies, in addition to layout-designs as mentioned in article 10 of the Act, also to:

1. layout-designs that are created by a person who is a citizen of, or is domiciled in, a state which is a member of the World Trade Organization, unless the exclusive right devolves on or passes directly to the employer or the person who commissioned the layout-design,
2. layout-designs that are created by an employee or a person commissioned for that purpose, when the exclusive right devolves on or passes directly to
 - a. a natural person who is a citizen of, or is domiciled in, a state which is a member of the World Trade Organization, or
 - b. a legal entity which or a natural person who has a real and effective establishment for the creation of layout-designs or the production of integrated circuits in a state which is a member of the World Trade Organization, and
3. other layout-designs, when the layout-design is commercially exploited within the European Economic Area before it has been commercially exploited in any other place, and the person who for the first time commercially exploits the layout-design within the European Economic Area, is a legal entity or a natural person as mentioned in subparagraph 2 litra a or b who has acquired an exclusive right to commercially exploit the layout-design within the European Economic Area from the person entitled to the layout-design.

For the purposes of subparagraph 3 of the first paragraph, the third paragraph of article 5 of the Layout-design Act applies correspondingly.

§ 2. This regulation shall enter into force on 1 January 1996.

From the same time the Regulation 30 December 1993 no 1368 relating to the extension of the scope of Act 15 June 1990 no 27 relating to the protection of layout-designs for integrated circuits shall be repealed.