

AZERBAIJAN (AZ)

I. LEGISLATIVE PROFILE



1. National Legislation

a. Industrial Property

Capital: Baku
Population: 8,114,000

Patents:

- Law No. 312 – IQ “On Patents”, June 1997 (entered into force in August 1997).

Trade Marks:

- Law No. 504 – IQ “On Trade Marks and Geographical Indications”, June 1998 (entered into force in August 1998).

Industrial Designs:

As above, under Patents.

b. Copyright and Related Rights

Copyright:

- Law No. 438 “On Copyrights and Related Rights”, October 1996.

Related Rights:

As above, under Copyright.

c. Other Country-Specific Legislation or Activities

Utility Models:

As above, under Patents.

Appellations of Origin / Geographical Indications / Indications of Source:

As above, under Trademarks.

Unfair Competition

- Law No. 1049 “On Unfair Competition”, June 1995.

Plant Variety Protection:

- Law No. 197-1Q “On New Varieties of Plants”, November 1996 (entered into force in January 1997).

d. Sources for Information on National Laws

Publications and Translations Department
of Azerbaijan Republic under
the President Executive Machinery
Istiqlaliyyat (Independence) Street 19
370066 Baku

Tel.: (99.412) 492.33.26

Title of Head: Head of the Department

2. Membership of International Bodies

a. Membership of WIPO treaties:

- WIPO Convention, since December 1995.
- Paris Convention (Industrial Property), since December 1995.
- Berne Convention (Literary and Artistic Works), since June 1999.
- PCT (Patents), since December 1995.
- Madrid Agreement (International Registration of Marks), since December 1995.
- Madrid Protocol (International Registration of Marks), since April 2007.
- Geneva Convention (Unauthorized Duplication of Phonograms), since September 2001.
- WCT (WIPO Copyright Treaty), since April 2006.
- WPPT (WIPO Performances and Phonograms Treaty), since April 2006..

b. WTO: Observer.

c. Membership of other bodies/treaties: EAPO, UCC, UPOV

- Member of EAPO since December 1995.
- Member of UCC since April 1997.
- Member of UPOV since December 2004.

II. ADMINISTRATION

1. Industrial Property

Supervisory Ministry:

State Committee for Science and Engineering	Tel.:	(99.412) 498.49.73
S. Vurgun Street 24		493.28.69
370000 Baku	Fax:	(99.412) 497.08.81
<i>Title of Head:</i> Chairman		498.49.73

Industrial Property Office:

State Committee on Standardization, Metrology and Patents	Telefax.:	(99.412) 440 52 24
Patent Office	Internet website :	www.azpat.org
Mardanov Brothers Street 124		
Baku AZ1147		
<i>Title of Head:</i> Director General		

2. Copyright and Related Rights

Supervisory Ministry:

Cabinet of Azerbaijan Republic

Copyright Office:

Copyright Agency of the Azerbaijani Republic	Tel:	(99.412) 493.39.44
Government House, Copyright Agency		498.10.29
Baku	Fax:	(99.412) 498.10.28
<i>Title of Head:</i> Chairman	E-mail:	az_rmha@azerin.com

Collective Management Societies:

Department of Protection of Copyright
 Copyright Agency of the Azerbaijani Republic
 As above, under Copyright Office

Other*Plant Varieties Office:*

State Commission on Examination and Protection of New Varieties of Plants
 Ministry of Agriculture
 Mir Ali Gashgay Street 36
 370000 Baku
Title of Head: Chairman
 Tel.: (99.412) 440.52.78

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTYIndustrial Property Tribunal

First instance	The Appeal Commission of the Patent Office (for natural persons or legal entities).
Second instance	Civil Court — Three steps: District Court, City Court, Supreme Court (for consideration of infringements of rights involving both natural persons and legal entities).
Second instance	Economic Court (considers conflicts between legal entities only).

Copyright Tribunal

Civil Court	Three steps: District Court, City Court, Supreme Court. As above, under Industrial Property Tribunal.
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Other

The State Customs Committee and the Head of the Azerbaijani Police Department are responsible for the protection of industrial property according to the Laws of the Azerbaijani Republic and the articles of the Civil Code, Criminal Code and Customs Code.

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

Specialized institutions teaching intellectual property do not exist in the Azerbaijani Republic.

Intellectual property is being taught in special courses in the Law Faculty, Baku State University as part of the faculty's program (lectures for 34 hours, 32 hours seminar study, which makes 66 hours in total).

Baku State University Z. Halilov Street, 23 370073 Baku <i>Title of Head:</i> Head of Civil Law Chair	Tel.: (99.412) 439.15.43
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Private University "West" Department of Law and Managers	Tel.: (99.412) 492.74.18
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Private University "Xazar" (teaching in English)	Tel.: (99.412) 421.10.93
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Department of Law and Social Sciences
 Mescheti Street, 11
 370096 Baku
Title of Head: Head of Department

The subject of intellectual property laws is being taught at local institutes and universities for 60-80 hours per semester as a part of the faculty's program. This subject is also being taught in the fourth course or for the magistracy.

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2005:

		Patents (direct filings)	Trade Marks	Industrial Designs (1998)
Applications by:	residents	281	774	12
	non-residents		823	32
Grants to:	residents		0	
	non-residents		0	

PCT (National Phase Entries)

Applications by residents and non-residents:

6

Grants to residents and non-residents:

Information not available.

Madrid System

International Registrations:

Total applications: 2,238 (non-residents only)

Total registrations: 2,230 (non-residents only)