[CM920622.DOC] Decree No 622 of the Cabinet of Ministers of the Republic of Kazakhstan

Concerning the National Patent Department Attached to the Cabinet of Ministers of the Republic of Kazakhstan

the 21st of July, 1992

In accordance with Edict No 806 of the President of the Republic of Kazakhstan, dated June 23, 1992 «Concerning the National Patent Department Attached to the Cabinet of Ministers of the Republic of Kazakhstan» the Cabinet of Ministers of the Republic of Kazakhstan RESOLVES:

1. That the fulfilment of the following main objectives shall be delegated to the National Patent Department (Kazpatent) attached to the Cabinet of Ministers of the Republic of Kazakhstan:

- conducting the state policy in the area of protecting the items of industrial property;
- creation of a single patent system;
- organising and approving inventors' and patent and licensing work;
- issuing protective documents for inventions, industrial samples, trade marks and any of the items of an industrial property;
- patenting inventions of the Republic abroad;
- conducting elaboration in the area of protecting the items of an industrial property with any other states and international organisations;
- development of drafts of legislative and sub-legislative acts, normative documents within the bounds of its authority;
- organising retraining, enhancing of qualifications and the certification of specialists and patent attorney in the area of protecting an industrial property.

2. That the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan shall be granted the rights within the functions delegated to it adopt decisions which shall be compulsory for the implementation by Ministries Departments, enterprises, organisations and any other entities of the economic relations of the Republic irrespective of their departmental subordination and the form of ownership.

3. That the State Fund of Inventions of the Republic of Kazakhstan shall be formed with the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan which shall carry out selection of inventions, industrial samples, useful models, trade marks and service marks, the exclusive rights to the use whereof shall be transferred on a contractual basis by the patent holders to the state.

4. That the maximum number of the Central Apparatus of the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan shall be established (including the employees of the State Fund of Invention of the Republic of Kazakhstan) in the number of 35 persons (without the personnel for protecting and maintaining the premises).

5. That the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan shall be permitted to have a Deputy Chairman and a College of seven persons.

6. That the Ministry of Finance of the Republic of Kazakhstan shall allocate from the Republic's budget, the required resources for the maintenance of the Central Apparatus and also training and retraining of cadres of the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan.

7. That the Alma-Ata Branch of the enterprises of the former All-Union Centre of Patent Services and the Alma-Ata branch of the former All-Union Institute for the training and enhancing qualifications of cadres in the area of an industrial property shall be subordinated to the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan. The transformation of the indicated structures for the purposes of selecting the optimum organisational form for their activity shall be carried out by the National Patent Department.

8. That the maximum number of service passenger cars for servicing the employees of the Department in the number of two units shall be established for the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan.

9. That the Ministry of Material Resources, the State Committee for the Economy of the Republic of Kazakhstan shall find for 1922 and it shall plan for the future the allocation to the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan of the furniture, equipment, implements, stationary and paper. Proposals concerning the issues which require the resolutions of the Government shall be presented to the Cabinet of Ministers of the Republic of Kazakhstan.

10. That the Republic’s Currency Committee shall plan the required resources for foreign patenting of inventions of the State Fund of Inventions of the Republic of Kazakhstan and the international co-operation in the area of protecting and implementing items of industrial properties.

11. It shall be established that the Ministry of Economic Foreign Relations of the Republic of Kazakhstan shall carry out the issue of licenses for the export and import of the items of an industrial property and of know-how with the consent of the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan.

12. That the Ministry of Communications of the Republic of Kazakhstan shall in accordance with the established procedure ensure in accordance with the applications of the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan the allocation of the required technical means and channels of telephone, telex and facsimile communications.

13. That the Head of the Alma-Ata Municipal Administration and the State Property Committee of the Republic of Kazakhstan shall within one month allocate in Alma-Ata the service premises for the employees of the Apparatus of the National

Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan and of the State Fund of the Inventions of the Republic of Kazakhstan.

14. That the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan shall within two months present to the Cabinet of Ministers the draft regulations concerning the National Patent Department attached to the Cabinet of Ministers of the Republic of Kazakhstan.

15. That clauses 5 and 7 of Paragraph 7 and Paragraph 10 of the Resolution No. 221 of the Cabinet of Ministers of the Republic of Kazakhstan, dated March 12, 1992 "Concerning the Ministry of Science and New Technologies of the Republic of Kazakhstan " shall be recognised as invalid.

Prime Minister of the Republic of Kazakhstan
S. Tereshchenko