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## **Law No. 6 of the Year 2005**

### **Protection of Layout Design of Integrated Circuits**

We Hamad Bin Khalifa Al Thani, Emir of the State of Qatar, Having perused the constitution and:

We have enacted the following law:

#### Article 1

In application of provisions of this law, the following words and expressions shall have the meanings shown opposite to each of which unless context means otherwise:

**The Ministry:** Ministry of Economy & Commerce

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**Office:** Office for the protection of integrated circuits designs.

**Integrated Circuits:** A protect in its immediate or final form in and/or which two or more elements including at least one active element, and some or all of the interconnections are integrally formed and which is intended to perform a certain function.

**Layout Design:** The three-dimensional disposition of an integrated circuit or a three dimensional disposition prepared for the manufacture of an integrated circuit.

**Right holder of layout design:** The natural or nominal person benefiting from protection of layout design of integrated circuits provided that they are original and have not been commercially exploited or the time span of exploitation in any part of the world is less than two years.

#### Article 2

Right of Layout design shall belong to the creator himself. This right may be assigned to or transferred to successors. In the event that the layout design has been created by, many creators then, they all share the ownership right jointly.

In the event that creation of layout design has been created on commission contract, then the exclusive right belongs to the commissioning party or the employer unless the commission or the contract include provisions stipulating otherwise.

#### Article 3

Without permission from the right holder of layout design, the following actions are restricted.

1. Reproduce the layout design in its entirety or for any creative part there of whether by incorporated it into an integrated circuit or in other way except a reproduction of an unoriginal part.
2. Import, sell or distribute the layout design or the integrated circuit in which the design or the circuit are incorporated as long as it contains a layout design illegally reproduced.

#### Article 4

A layout design may be used without authorization of the right holder of the layout design for the following purposes:

1. Reproducing the layout design for non-commercial purposes of evaluation, analysis, research or teaching of this would be in favor of the public interest. The minister shall issue a decision permitting utilization and its conditions.
2. To utilize the layout design for personal non-commercial purposes.
3. Where anyone exploits integrated circuits or articles incorporating such integrated circuits without knowing or without reasonable grounds to be expected to know at the time when he obtains these integrated circuits or articles incorporating illegally reproduced layout design, then, he shall dispose the stock he maintains or the quantities he contracted to obtain before being notified on the same. He shall also be required to pay reasonable compensation to the right holder of layout design.
4. Create a layout design quite identical to a protect layout design by means of independent efforts.

#### Article 5

In the ministry, there shall be established an office called "Office for Protection of Integrated Circuits Layout Design". The office shall maintain a register to record applications for registration of integrated circuits Layout Design, owners information Notices of ownership assignment or transfer. Registration shall be deemed an evidence of ownership unless otherwise proved. The executive by laws of this Law shall determination, registration, procedures of ownership assignment, mortgage, attachment, and any other legal practices pertaining to the same against an application fee specified by the by laws but not exceeding Qr.500.

#### Article 6

The layout design can' be registered provided that it meets the following requirements.

1. Layout Design shall be original in the sense that it is the product of the creators intellectual efforts, and it shall be unfamiliar to layout design creators or manufactures of integrated circuits at the time of their creation.
2. The application form for registration submitted in the State of Qatar within two years from the date on which it was first commercially exploited in the State of Qatar or anywhere in the world.

#### Article 7

Where any applicant for registration is not satisfied with the decision rejecting registration, it he may, within thirty days from the date of receipt of notification, complain of the decision. In the event that applicant doesn't receive an objection accepting the registration after six months from date of application this means the registration is implicitly rejected.

Complaints about the decision rejecting registration shall be referred to a commission set up by minister's decision commission shall decide on a date of compliant before the elapse of 60 days from the date of compliant submission.

Commission's decision on this regard shall be final. Judiciary shall not accept any compliant about commission's decisions unless compliant has been decided; upon or after elapse of 60 days from date of compliant submission without being decided upon.

Executive by laws shall determine way of commission formation and procedures regulating its function.

#### Article 8

Layout design term of protection shall be ten years commencing on the date of filing registration application from at the office, or from the date on which it was first commercially exploited anywhere in the world.

#### Article 9

Any interested party may approach the competent court to cancel registration of layout design in part or as a whole registration is found not complying with provisions of law. The office shall execute cancellation verdicts.

#### Article 10

The competent court, upon the request of the right holder of Layout design shall have the right to stop infringement on layout design by means of taking necessary legal steps particularly the following:

1. Attachment of instrument being used in addition to products goods or any other means that were used infringement.
2. Stop infringement acts immediately.
3. Reserve instruments relevant to infringement.

Upon the request of the general prosecutor, attachment procedures stated above shall be cancelled if plaintiff fails to file a suit case within 15 days from the date on which the court attachment procedures in all events, this shall not waive the right any accrued compensation.

#### Article 11

Without prejudice to any other server penalty stipulated by any other law, anyone who is found in breach of any provisions of Article 3 hereof, shall be subject to a penalty not exceeding one year imprisonment and a fine no less than Qr. 50,000 or by one of the said two penalties. In case of repeated breach, the maximum limit of the penalty shall be doubled.

All the cases, reproduction of layout designs in questions shall be confiscated as well as any other materials or machinery used in the production.

#### Article 12

Ministry staff assigned under a decision made by the general prosecutor in agreement with Minister, shall be in the capacity of judicial police involved in proving of crimes breaching provisions of this law.

#### Article 13

Minister shall, within three months of putting this law into force, issue its executive bylaws and decisions needed for its execution.

#### Article 14

All concerned bodies, each in its capacity shall have to execute this law which shall be published in the official gazette.