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Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce

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PRINCIPALES LOIS ET REGLEMENTATIONS CONSACREES A LA PROPRIETE INTELLECTUELLE NOTIFIEES AU TITRE DE L'ARTICLE 63:2 DE L'ACCORD

Islande

Le présent document contient le texte des lois et réglementations ci-après¹ notifiées par l'Islande au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/ISL/1):

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¹Anglais seulement.

Law

concerning the protection of topographies of integrated circuits on semiconductors

THE DEPUTIES OF THE PRESIDENT OF ICELAND

by virtue of Article 8 of the Constitution,

the Prime Minister, President of the Althing and President of the Supreme Court,

hereby proclaim: The Icelandic Parliament, the Althing, has adopted this law and we have confirmed it with our consent:

Article 1

Anyone designing a topography of integrated circuits on a semiconductor shall have exclusive right to its exploitation according to this Law.

The protection of a topography of integrated circuits on a semiconductor is subject to the requirement that this be an original creation, either in whole or in part. The topography must be the creator's own effort and not commonplace.

Article 2

Protection as provided for in this Law shall be enjoyed by Icelandic nationals or permanent residents of this country. Enterprises and legal entities having commercial operations in Iceland shall also enjoy protection.

The Minister of Industry may issue a regulation extending the legal protection provided for in this Law to include nationals of those countries which make comparable protection available to Icelandic nationals.

Article 3

Exclusive right to the exploitation of a topography of integrated circuits on semiconductors shall include the following:

1. the right to copy a topography of integrated circuits which enjoys protection in accordance with Article 1 of this Law;
2. The right to commercial exploitation of a topography of integrated circuits;
Commercial exploitation means the sale, rental, leasing or other commercial use of the topography of integrated circuits or an offer made for the same purpose.
3. The right to import a topography or integrated circuit which was produced using this topography for commercial use.

Exclusive right does not cover:

1. the copying of a topography of integrated circuits which is not for commercial purposes;
2. the copying of a topography of integrated circuits which is carried out for purposes of research or instruction;
3. topographies of integrated circuits which have been created as a result of activities covered by point 2 of this paragraph;
4. acts covered by the first paragraph which have occurred after a topography of integrated circuits, which is protected in accordance with Article 1, has been placed on the market by the

Article 4

An individual who has acquired an integrated circuit which has been produced, commercially exploited or imported contrary to this Law may exploit it commercially or import it on the condition that the individual concerned had no knowledge of, or no reasonable grounds to believe, that such was the case regarding this product. On the demand of the rightholder, he may be awarded adequate compensation if such commercial exploitation or importation occurs after the individual knows or has reasonable grounds to believe that the integrated circuit has been produced contrary to this Law.

Article 5

Exclusive right to the exploitation of the topography of integrated circuits on semiconductors be established when the topography is first fixed or encoded. The exclusive right expires 10 years from the end of the calendar year when the topography was first commercially exploited anywhere in the world. The exclusive right expires 15 years after the end of the calendar year when the topography was first introduced if has not by that time been commercially exploited.

Lit

Article 6

Anyone who intentionally or negligently infringes upon the rights of a party as provided for by this Law must compensate him for the damage he has incurred as a result. Such compensation shall not, however, exceed the gain which the party liable for damages has acquired as a result of the infringement.

Article 7

Any infringement of this law shall be punishable by fine.

Article 8

The Minister of Industry may issue a Regulation containing detailed provisions for the implementation of this Law.

Article 9

This Law shall come into force immediately.

Done at Reykjavík, 18 May 1993.

Davíð Oddsson

Salome Þorkelsdóttir
(L. S.)

Pórr Vilhjálmsson

Jón Sigurðsson

6 March 1995

No. 19

ACT
amending Act No. 78/1993,
concerning the protection of topographies
of integrated circuits on semi-conductor products

THE PRESIDENT OF ICELAND

hereby proclaims: The Icelandic Parliament, the Althing, has adopted this Act and I have confirmed it with my consent:

Article 1

Article 2 of the Act shall read as follows:

Protection in accordance with this Act shall be enjoyed by the person who has designed the topography of an integrated circuit of a semi-conductor product or the person or legal entity who has acquired his right.

Article 2

This Act shall enter into force immediately.

Done at Reykjavík, 6 March 1995.

Vigdís Finnbogadóttir
(L.S.)

Sighvatur Björgvinsson