

ANNEX XXIII

**Approved by the Order of the
Chairman of the Committee on Customs Control
of the Republic of Kazakhstan
No. 201 of 13 May, 2003**

Rules on keeping register of intellectual property related products, and sharing it with customs bodies and applicants

1. General Provisions

1. These rules on keeping register of intellectual property related products and sharing it with the customs bodies and applicants (hereafter – Rules) are elaborated in accordance with the Article 12 of the Taxation Code of the Republic of Kazakhstan (hereafter – Taxation Code), and shall determine the order of keeping the register of intellectual property related products (hereinafter - Register), the order of accounting of products, containing intellectual property and delivery of information, entered into the Register, to applicants and customs bodies.

2. Products, containing intellectual property (hereinafter - IP), shall be subject to entry into the Register after the authorized body made a decision on the customs issues, under observance of conditions, specified in Article 413 of the Taxation Code.

3. The following term is used in these Rules:

trademark – designation for distinction between the products of first natural and juridical persons from the products of the second natural and juridical persons.

2. Register Maintenance

4. The Register shall be kept in electronic form in the established format complying with the Annex to these Rules.

5. The following data shall be included into the Register:

1) possessor of right: location, legal and postal address, telephone/fax, electronic document address;

2) information on intellectual property subject to protection: type, name and trademark, (when available);

3) the term which is necessary for customs bodies assistance in protection of applicant's rights;

4) registration number of intellectual property, issued by the authorized body on customs issues;

5) information on individuals representing the interests of rights possessor;

6) information of the document, proving the right of intellectual property; (trademark license);

7) names of producers of products, containing intellectual property.

6. The products containing intellectual property can be excluded from the Register in cases stipulated by paragraph 7 of Article 413 of the Taxation Code.

3. Introduction of Register Information

7. Upon the entry of the product, containing intellectual property, into the Register, the authorized body on customs issues shall notify the applicant on introduction of a product into the

Register subject to protection by Customs Bodies of the Republic of Kazakhstan within 3 working days.

8. The Register is accessible to public.

The authorized body on customs issues shall publish the Register not less than once a quarter in the periodicals determined by it, and stipulate for their dissemination in electronic mass media.

9. To the effect of customs control and accounting, upon the wish of the right possessor or the applicant, additional information on the products can be submitted to the customs bodies:

1) information on legal importers and exporters;

2) information on the countries being producers, exporters or importers of the principal share of pirated copies, as well as the information on importers and exporters in relation of whom the control on observance of customs rules shall be strengthened whenever there discovered the features of infringing products (imported or exported).

This information shall be confidential and shall have concerns to the requirements on circulating limitations of confidential information and copyright protection.

**Supplement
to the Rules on keeping register
of intellectual property related products,
and sharing the information with customs bodies and applicants,
approved by the Order of the Chairman
of the Committee on Customs Control
of the Republic of Kazakhstan
No. 201 of 13 May, 2003**

**The Register
of Products Containing Intellectual Property,
Committee on Customs Control of the Republic of Kazakhstan**

#	IP related product	Owner of rights for IP/ contact persons (address of electronic document)	Type, name of intellectual property	Registered Number	Names of IP related product manufacturers	Trademark license number/other documents	The period of protection	Information on Exclusion from the Register
1	2	3	4	5	6	7	8	9