

**14**  
**ACT**  
**of the Czech National Council**  
**of 20 December, 1992**  
**on measures concerning the Industrial Property Protection**

The Czech National Council adopted the following Act:

**PART I.**  
**INDUSTRIAL PROPERTY OFFICE**

§ 1

(1) The Industrial Property Office (hereafter referred to as "Office") is the central authority of public administration for the protection of industrial property of the Czech Republic.

(2) The Office has its seat in Prague.

(3) The Office is headed by a president, who is appointed to and suspended from office by the government.

§ 2

The Office

- a) makes decisions about granting protection for inventions, industrial designs, utility models, topographies of semiconductor products, trade marks, and appellations of origins of products,
- b) performs activities according to the regulations concerning patent agents,<sup>1)</sup>
- c) keeps the central fund of world patent literature.

**PART II.**  
**TRANSITIONAL PROVISIONS**

§ 3

(1) The proceedings on discoveries applications, which had not been concluded prior to this Act becoming effective, shall be terminated.

(2) The applications of inventions and industrial designs,<sup>2)</sup> utility models,<sup>3)</sup> topographies of semiconductor products,<sup>4)</sup> appellations of origin of products,<sup>5)</sup> and trade

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<sup>1)</sup> Act N. 237/1991 Coll., on patent agents.

Decree of the Federal Inventions Authority N. 350/1991 Coll., on rewarding patent agents.

<sup>2)</sup> Act N. 527/1990 Coll., on inventions, industrial designs, and rationalization proposals.

<sup>3)</sup> Act N. 478/1992 Coll., on utility models.

<sup>4)</sup> Act N. 529/1991 Coll., on the protection of topographies of semiconductor products.

<sup>5)</sup> Act N. 159/1973 Coll., on the protection of appellations of origin of products.

marks<sup>6</sup> on which decisions had not been made prior to this Act becoming effective, shall be processed by the Office according to the existing regulations.

(3) The legal acts performed in proceedings before the Federal Office for Inventions, as well as the legal facts decisive according to the existing regulations which had occurred prior to this Act becoming effective, shall remain in force unless stipulated otherwise by this Act.

#### § 4

Author's certificates and patents on inventions, certificates and patents on industrial designs, registrations of industrial designs, utility models, topographies of semiconductor products, appellations of origin of products, and trade marks into Register, provided that they are valid on the date of this Act becoming effective, shall remain on the territory of the Czech Republic in force according to the existing regulations.

#### § 5

The proceedings on the annulment of a patent or an author's certificate for an invention, on the cancellation of an industrial design, a topography of a semiconductor product, and of a trade mark from the register, on a proposal for the forfeiture of protection by a utility model or of a topography of semiconductor product, on determining whether a solution described in a request falls within the scope of a certain patent, author's certificate, or a utility model, or whether an appearance of a product falls within the scope of a certain registered industrial design, on granting a compulsory license for an invention, an utility model, or a topography of a semiconductor product which had not been concluded prior to this Act becoming effective, shall remain in the procedure according to the existing regulations.

### **PART III. FINAL PROVISIONS**

#### § 6

The Act N. 237/1991 Coll., on patent agents, is amended as follows:

1. § 9 par. 3 is worded:  
“(3) The Chamber shall delete from the register the patent agent, about whose failure to meet the conditions given in § 4 it learnt.”
2. § 25 par. 3 is omitted.

#### § 7

This Act becomes effective on 1 January, 1993.

**Uhde** autographed  
**Klaus** autographed

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<sup>6</sup>) Act N. 174/1988 Coll., on trade marks.