Registration of IC Topographies

In the Republic of Moldova a topography shall be registered for a term of 10 years from the filing date of a regular national application.

Filing of the application

An application for the registration of a topography shall be made on a standard form and be filed with the AGEPI in 2 copies directly or through a representative. It shall relate to one topography only.

What are the stages through which the application for the registration of a topography passes up to the issuance of the certificate of registration?

After the constitution of the regular national filing, the application for the registration of a topography shall be subjected to the following procedures:

- formal examination;
- examination;
- publication of the decision to issue a certificate of registration;
- issuance of the certificate of registration.

What are the terms of examination of an application for the registration of a topography?

In the examination of an application for the registration of a topography, AGEPI shall undertake the formal examination within one month, after that the application shall be subjected to examination within two months.

The application will be examined and consequently will be adopted the decision to register the topography or to reject the application.

What is publication of the application?

The Agency shall, within three months following the notification of the applicant of a decision to register the topography, publish the particulars of registration of the topography in the Official Bulletin of Industrial Property and issue to the entitled person a certificate of registration against payment of the prescribed fee.

How can a certificate be attacked?

Any registration of a topography in the National Register of Topographies of Integrated Circuits may be cancelled, either entirely or in part, on the basis of a notice of opposition filed by an interested party if it is established that the prescribed legal conditions for the grant of protection were not met. The notice of opposition may be filed at any time during the term of protection of the topography. The Board of Appeal of the Agency shall consider the notice of opposition within three months from the filing date thereof. The Board of Appeals shall notify the persons concerned of its decision. The decision of the Board of Appeals may be contested in court within three months from the date of receipt of the notification. Cancellation of the registration shall cause the owner to lose all his rights in the registered topography or, where applicable, in the cancelled part thereof.

How are rights transferred?

The right to protection and the rights deriving from the registration of a topography may be transferred in whole or in part by assignment and exclusive or nonexclusive license, by succession, or by legal or testamentary inheritance. The transfer of rights shall have effect on the third parties, beginning with the date on which the contract of assignment is registered with the Agency.

How can a topography be protected abroad?

The filing of the application abroad for the registration of a topography created in the Republic of Moldova shall be effected no earlier than one month after the date of the filing of a regular national application with the Agency. The filing of the application abroad shall be effected in conformity with the national law of the country concerned and with international conventions to which the Republic of Moldova is a party.

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