

LEGISLATION IN FORCE — INTELLECTUAL PROPERTY

- A. INTERNATIONAL TREATIES
- B. EU LEGISLATION
- C. LEGISLATION IN THE REPUBLIC OF SLOVENIA

A. INTERNATIONAL TREATIES

**Acts comprising provisions on intellectual property rights*

1. Agreement on Trade-Related Aspects of Intellectual Property Rights (Official Gazette RS-MP, No 10/1995)
2. Convention Establishing the World Intellectual Property Organization (Official Gazette SFRJ-MP, No 31/1972 and 4/1986, Official Gazette RS, No 24/1992, Official Gazette RS-MP, No 9/1992, No 3/2001, No 3/2007)

A.1 COPYRIGHT

1. Berne Convention for the Protection of Literary and Artistic Works (Official Gazette SFRJ-MP, No 14/1975 and 4/86, Official Gazette RS, No 24/1992, Official Gazette RS-MP, No 9/1992, No 3/2007)
2. Universal Copyright Convention (Official Gazette SFRJ-MP, No 54/1973, Official Gazette RS-MP, No 15/1992)
3. Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (Official Gazette SFRJ-MP, No 13/1977, Official Gazette RS-MP, No 15/1992)
4. Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (Official Gazette RS-MP, No 8/1996)
5. Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Official Gazette RS-MP, No 8/1996)
6. World Intellectual Property Organisation Copyright Treaty (Official Gazette RS-MP, No 25/1999)
7. World Intellectual Property Organisation Performances and Phonograms Treaty (Official Gazette RS-MP, No 25/1999)

A.2 INDUSTRIAL PROPERTY

1. Paris Convention for the Protection of Industrial Property (Official Gazette SFRJ-MP, No 5/1974, No 7/1986, Official Gazette RS, No 24/1992, Official Gazette RS-MP, No 9/1992, No 3/2007)

Patents & Supplementary patent certificates

1. Patent Cooperation Treaty (Official Gazette RS-MP, No 19/1993, No 3/2007)
2. Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure (Official Gazette RS-MP, No 21/1997, No 3/2007)
3. Strasbourg Agreement Concerning the International Patent Classification (Official Gazette RS-MP, No 7/2001, No 3/2007)
4. Patent Law Treaty (Official Gazette RS-MP, No 4/2002)
5. Convention on the Grant of European Patents of 5 October 1973, as last amended on 10 December 1998 (Official Gazette RS-MP, No 19/2002)
6. Protocol on the Interpretation of Article 69 of the Convention on the Grant of European Patents of 5 October 1973 (Official Gazette RS-MP, No 19/2002)
7. Protocol on the Centralisation of the European Patent System and on its Introduction (Official Gazette RS-MP, No 19/2002)
8. Protocol on Jurisdiction and the Recognition of Decisions in respect of the Right to the Grant of a European Patent (Official Gazette RS-MP, No 19/2002)
9. Protocol on Privileges and Immunities of the European Patent Organisation (Official Gazette RS-MP, No 19/2002)
10. Agreement dated 17 October 2000 on the application of Article 65 of the Convention on the Grant of European Patents (Official Gazette RS-MP, No 19/2002)
11. Act Revising the Convention on the Grant of European Patents of 29 November 2000 (Official Gazette RS-MP, No 19/2002)

12. Implementing Regulations to the Convention on the Grant of European, as last amended by decision of the Administrative Council of the EPO of 7.12.2006, and as applicable from 1.4.2008
13. Rules Relating to Fees of 20 October, as applicable from 13.12.2007, and Decision amending the Rules, as applicable from 1.4.2008
14. Agreement between the Government of Slovenia and the European Patent Organisation on co-operation in the field of patents (Official Gazette RS-MP, No 15/93, No 11/2000) (*applicable for requests for extension of European patents filed before 1 December 2002*)
15. Agreement implementing Article 3(3) of the Agreement between the Government of Slovenia and the European Patent Organisation on co-operation in the field of patents (Official Gazette RS-MP, No 2/1994, No 11/2000) (*applicable for requests for extension of European patents filed before 1 December 2002*)

Industrial designs

1. Hague Agreement Concerning the International Deposit of Industrial Designs (Official Gazette RS-MP, No 20/1994, No 3/2007)
2. Geneva Act of the Hague Agreement concerning the International Registration of Industrial Designs (Official Gazette RS-MP, No 4/2002)
3. Common Regulations Under the 1999 Act, the 1960 Act and the 1934 Act of the Hague Agreement (Official Gazette RS-MP, No 15/2006)
4. Locarno Agreement Establishing an International Classification for Industrial Designs (Official Gazette SFRJ-MP, No 51/1974, Official Gazette RS, No 24/1992, Official Gazette RS-MP, No 9/1992, No 3/2007)

Trademarks

1. Madrid Agreement Concerning the International Registration of Marks (Official Gazette SFRJ-MP, No 2/74, Official Gazette RS, No 24/1992, Official Gazette RS-MP, No 9/1992, No 3/2007)
2. Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Official Gazette RS-MP, No 21/1997)
3. Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (Official Gazette RS-MP, No 2/2006)
4. Trademark Law Treaty and Regulations (Official Gazette RS-MP, No 28/2001)
5. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Official Gazette SFRJ-MP, No 51/1974, Official Gazette RS, No 24/1992, Official Gazette RS-MP, No 9/1992, No 3/2007)
6. Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (Official Gazette RS-MP, No 7/2001, No 3/2007)
7. Nairobi Treaty on the Protection of the Olympic Symbol (Official Gazette RS-MP, No 5/1998)

A.3 PLANT VARIETY RIGHTS

1. International Convention for the Protection of New Varieties of Plants (Official Gazette RS-MP, No 13/1999) (*within the competence of the Ministry of Agriculture, Forestry and Food*)

B. EU LEGISLATION

**Acts comprising provisions on intellectual property rights*

1. Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (Official Journal of the EU L 195, 02/06/2004, p. 16)
2. Council Regulation (EC) No 1383/2003 of 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights (Official Journal of the EU L 196, 02/08/2003, p. 7)
(this regulation falls within the competence of the Customs Administration)
3. Commission Regulation (EC) No 1891/2004 of 21 October 2004 laying down provisions for the implementation of Council Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights (Official Journal of the EU L 328, 30/10/2004, p. 16)
(this regulation falls within the competence of the Customs Administration)
4. Commission Regulation (EC) No 1172/2007 of 5 October 2007 amending Commission Regulation (EC) No 1891/2004 of 21 October 2004 laying down provisions for the implementation of Council Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights (Official Journal of the EU L 261, 06/10/2007, p. 12) *(this regulation falls within the competence of the Customs Administration)*

B.1 COPYRIGHT

1. Council Directive 91/250/EEC of 14 May 1991 on the legal protection of computer programs (Official Journal of the EU L 122, 17/05/1991 p. 42)
2. Council Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (Official Journal of the EU L 346, 27/11/1992 p. 61)
3. Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission (Official Journal of the EU L 248, 06/10/1993 p. 15)
4. Council Directive 93/98/EEC of 29 October 1993 harmonizing the term of protection of copyright and certain related rights (Official Journal of the EU L 290, 24/11/1993 p. 9)
5. Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases (Official Journal of the EU L 77, 27/3/1996, p. 20)
6. Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (Official Journal of the EU L 167, 22/6/2001, p. 10)
7. Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art (Official Journal of the EU L 272, 13/10/2001, p. 32)

B.2 INDUSTRIAL PROPERTY

Patents & Supplementary patent certificates

1. Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions (Official Journal of the EU L 213, 30/7/1998, p. 13)
2. Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) (Official Journal of the EU L 152, 16/06/2009, p. 1)
3. Regulation (EC) No 1610/96 of the European Parliament and of the Council of 23 July 1996 concerning the creation of a supplementary protection certificate for plant protection products (Official Journal of the EU L 198, 08/08/1996, p. 30)
4. Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 (Official Journal of the EU L 378, 27/12/2006, p. 1), amended by Regulation (EC) No 1902/2006 of the European Parliament and of the Council (Official Journal of the EU L 378, 27/12/2006, p. 20)

5. Regulation (EC) No 816/2006 of the European Parliament and of the Council of 17 May 2006 on compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems (Official Journal of the EU L 157, 09/06/2006, p. 1)

Industrial designs

1. Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs (Official Journal of the EU L 289, 28/10/1998, p. 28)
2. Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (Official Journal of the EU L 3, 05/01/2002, p. 1), amended by Council Regulation (EC) No 1891/2006 of December 18 2006 (Official Journal of the EU L 384, 29/12/2006, p. 79)
3. Commission Regulation (EC) No 2245/2002 of 21 October 2002 implementing Council Regulation (EC) No 6/2002 on Community designs (Official Journal of the EU L 341, 17/12/2002, p. 28)
4. Commission Regulation (EC) No 2246/2002 of 16 December 2002 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs) in respect of the registration of Community designs (Official Journal of the EU L 341, 17/12/2002, p. 54)

Trademarks

1. First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks (Official Journal of the EU L 40, 11/2/1989, p. 1)
2. Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (Official Journal of the EU L 11, 14.1.1994, p. 1), amended by Council Regulation (EC) No 207/2009 of 26 February 2009 (Official Journal of the EU L 78, 24/03/2009, p. 1)
3. Commission Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark (Official Journal of the EU L 303, 15.12.1995, p. 1), amended by Commission Regulation (EC) No 1041/2005 of 29 June 2005 (Official Journal of the EU L 172, 05/07/2005, p. 4)
4. Commission Regulation (EC) No 216/96 of 5 February 1996 laying down the rules of procedure of the Boards of Appeal of the Office for Harmonization in the Internal Market (Trade Marks and Designs) (Official Journal of the EU L 28, 6.2.1996, p. 11), amended by Commission Regulation (EC) No 2082/2004 of 6 December 2004 (Official Journal of the EU L 360, 07/12/2004, p. 19)
5. Commission Regulation (EC) No 2869/95 of 13 December 1995 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs) (Official Journal of the EU L 303, 15/12/2002, p. 33), amended by Commission Regulation (EC) No 1687/2005 of 14 October 2005 (Official Journal of the EU L 271, 15/10/2005, p. 14)

B.3 TOPOGRAPHIES OF SEMICONDUCTOR CIRCUITS

1. Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products (Official Journal of the EU L 24, 27/01/1987, p. 36)

B.4 GEOGRAPHICAL INDICATIONS

These regulations fall within the competence of the Ministry of Agriculture, Forestry and Food.

Wine and spirit drinks

1. Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine (Official Journal of the EU L 179, 14/07/1999, p. 1), amended by Commission Regulation (EC) No 1795/2003 of 13 October 2003 (Official Journal of the EU L 262, 14/10/2003, p. 13)
2. Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks (Official Journal of the EU L 160, 02/06/1989, p. 1), amended by Regulation (EC) No 1882/2003 (Official Journal of the EU L 284, 31/10/2003, p. 1)
3. Commission Regulation (EEC) No 1014/90 of 24 April 1990 laying down detailed implementing rules on the definition, description and presentation of spirit drinks (Official Journal of the EU L 105, 25/04/1990, p. 9), amended by Commission Regulation (EC) No 2140/98 of 6 October 1998 (Official Journal of the EU L 270, 07/10/1998, p. 9)

Agricultural products, foodstuffs

1. Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (Official Journal of the EU L 93, 31/03/2006, p. 12)

2. Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed (Official Journal of the EU L 93, 31/03/2006, p. 1)

B.5 PLANT VARIETY RIGHTS

1. Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (Official Journal of the EU L 227, 01/09/1994, p. 1), amended by Council Regulation (EC) No 873/2004 of 29 April 2004 (Official Journal of the EU L 162, 30/04/2004, p. 38) (*this regulation falls within the competence of the Ministry of Agriculture, Forestry and Food*)

C. LEGISLATION IN THE REPUBLIC OF SLOVENIA

Acts comprising provisions on intellectual property but not falling within the competence of SIPO

1. General Administrative Procedure Act (Official Gazette RS, No 24/2006, No 126/2007)
2. Administrative Fees Act (Official Gazette RS, No 42/2007, No 126/2007)
3. Administrative Disputes Act (Official Gazette RS, No 105/2006)
4. Act Implementing the Customs Regulations of the European Community (Official Gazette RS, No 25/2004, No 111/2007) (*this regulation falls within the competence of the Customs Administration*)
5. Penal Code of the Republic of Slovenia (Official Gazette RS, No 55/2008, No 55/2009)
6. Criminal Liability of Legal Entities Act (Official Gazette RS, No 98/2004)
7. Rules on insuring payment of expenses and determining the level of costs of safe-keeping and maintenance of goods during temporary detention and seizure of goods in case of application of customs measures in cases of intellectual property violations (Official Gazette RS, No 33/2004) (*this regulation falls within the competence of the Customs Administration*)

C.1 COPYRIGHT

1. Copyright and Related Rights Act (Official Gazette RS, No 16/2007)
2. Decree on amounts of remuneration for private and other internal reproduction (Official Gazette RS, No 103/2006)
3. Decree on mediation in disputes concerning copyright and related rights (Official Gazette RS, No 35/2005)
4. Decision determining the list of mediators (Official Gazette RS, No 82/2005)
5. Decision supplementing the list of mediators (Official Gazette RS, No 36/2007)
6. Decree on arbitration in disputes concerning copyright and related rights (Official Gazette RS, No 65/2006)

C.2 INDUSTRIAL PROPERTY

1. Industrial Property Act (Official Gazette RS, No 51/2006)
2. Decree on the fees of the Slovenian Intellectual Property Office (Official Gazette RS, No 128/2006)
3. Rules on the registers of applications and industrial property rights and on the certificate of the priority right (Official Gazette RS, No 102/2001)
4. Rules on passing the qualifying examination and entry into the register of agents kept by the Slovenian Intellectual Property Office (Official Gazette RS, No 111/2001)
5. Order on the tariff of information services (Official Gazette RS, No 71/2006)

Patents & Supplementary patent certificates

1. Decree on the legal protection of biotechnological inventions (Official Gazette RS, No 81/2003)
2. Decree implementing Council Regulations (EC) concerning the creation of a supplementary protection certificate for medicinal products and for plant protection products (Official Gazette RS, No 56/2005, No 65/2006) (*reference to Council Regulation (EEC) No 1768/92 of 18 June 1992 concerning the supplementary protection certificate for medicinal products is to be taken as a reference to Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 (Codified version), and should be read in accordance with the correlation table in Annex II hereto – 2. paragraph of Article 22*)
3. Decree on the extension of European Patents to Slovenia (Official Gazette RS, No 15/2002) (*applicable for requests for extension of European patents filed before 1 December 2002*)
4. Rules on the contents of patent applications and divisional patent procedure (Official Gazette RS, No 102/2001)

Industrial designs

1. Decree implementing Council Regulation (EC) on Community trademarks and Council Regulation (EC) on Community designs (Official Gazette RS, No 4/2007)
2. Rules on the contents of industrial design applications (Official Gazette RS, No 102/2001, No 112/2004)

Trademarks

1. Decree implementing Council Regulation (EC) on Community trademarks and Council Regulation (EC) on Community designs (Official Gazette RS, No 4/2007)
2. Rules on the contents of trademark applications (Official Gazette RS, No 102/2001)
3. Rules on the procedure concerning requests for the international registration of trademarks (Official Gazette RS, No 124/2006)

Geographical indications

1. Decree on the geographical indication of the Lipicanec (Lipizzaner) horse (Official Gazette RS, No 4/1999)

Job Related Inventions

1. Job Related Inventions Act (Official Gazette RS, No 15/2007)
2. Rules on compensation for job-related inventions (Official Gazette RS, No 65/2007)

C.3 TOPOGRAPHIES OF SEMICONDUCTOR CIRCUITS

1. Act on the Protection of Topographies of Integrated Circuits (Official Gazette RS, No 81/2006)
2. Decree on the fees of the Slovenian Intellectual Property Office (Official Gazette RS, No 65/2006)
3. Rules on the registration of topographies of integrated circuits (Official Gazette RS, No 34/2003)

C.4 GEOGRAPHICAL INDICATIONS

These regulations fall within the competence of the Ministry of Agriculture, Forestry and Food.

Wine, spirit drinks

1. Wine Act (Official Gazette RS, No 105/2006)
2. Rules on the list of designation of geographical origin for wines and other grape and wine products (Official Gazette RS, No 68/2002, No 42/2003)
3. Rules on the designation of wine, must and other grape and wine products and their packaging (Official Gazette RS, No 40/2001, No 52/2003, No 44/2005)

Agricultural products, foodstuffs

1. Agriculture Act (Official Gazette RS, No 51/2006)
2. Rules on procedures for the recognition of special agricultural products or foodstuffs (Official Gazette RS, No 76/2003, No 18/1994, No 47/2005)
3. Rules on the trade mark for labelling agricultural products or foodstuffs (Official Gazette RS, No 58/2001, No 28/2004, No 87/2004, No 121/2006)
4. Rules on the requirements for the use of the indication of geographical denomination of agricultural products and foodstuffs (Official Gazette RS, No 7/2001)

C.5 PLANT VARIETY RIGHTS

These regulations fall within the competence of the Ministry of Agriculture, Forestry and Food.

1. Protection of New Varieties of Plants Act (Official Gazette RS, No 113/2006)
2. Decree on the annual fee for varieties entered in the Agricultural Plant Variety List and on fees and costs for plant variety protection (Official Gazette RS, No 27/2005)
3. Rules on the procedure for granting the plant breeders' rights (Official Gazette RS, No 85/1999)
4. Rules on standard methods for testing the distinctness, uniformity and stability of new varieties of plants (Official Gazette RS, No 30/1999)

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