

## **Criminal Code of the Republic of Azerbaijan (extract)**

### **Article 165. Infringement of copyright or related rights**

165.1. Illegal use of copyright or related rights objects, that is edition under a name or different way in assignment of authorship of another's scientific, literary, art or other product, its illegal reprinting or distribution, as well as compulsion to co-authorship and as a result of these acts damage caused was in significant size—

- is punishable by the penalty at a rate from one thousand to two thousand manats or public works for the term from three hundred twenty to four hundred eighty hours.

165.2. The same acts committed:

165.2.1. repeatedly;

165.2.2. on preliminary arrangement by group of persons and by organized group—

- is punishable by the penalty at a rate from two thousand to four thousand manats or restraint of freedom for the term up to two years or imprisonment for the term up to two years with confiscation of property.

Note: In articles 165-166 of this Code under «significant damage» means the sum exceeding one thousand Manats.

### **Article 165-1. Infringement of the exclusive right of use of the topography of integrated circuits**

165-1.1. Making copy of integrated circuits topology in any form, as well as by the way of including it in whole, or in any part thereof into an integrated circuit, except for removal of non-original part of topology of the integrated circuit, and application, delivery, offer for sale, sale of topology or an integrated circuit consisting of this topology, or their introduction into the economic turnover in another form, without permission of the author or another owner of rights in case, if significant damage is caused as a result of these actions -

- is punishable by a the penalty at a rate from one thousand to two thousand manats or by public works for the period from three hundred twenty to four hundred eighty hours.

165-1.2. The same actions:

165-1.2.1. when making repeatedly;

165-1.2.2. when making by a group of individuals, entered into a preliminary conspiracy, or by an organized group -

- are punishable by a the penalty at a rate from two thousand to four thousand manats, or corrective works for the term of up to two years, or restraint of freedom for the term up to two years, or imprisonment for the term up to two years.

Note: In the article 165-1 .1 of the present Code, under the words "significant damage" means damage in size exceeding one thousand manats.

### **Article 165-2. The violation of requirements on use of folklore expressions**

165-2.1. Violation of requirements on use of folklore expressions, if these acts caused damages in significant amount -

- is punishable by a the penalty with confiscation of property at a rate from one thousand to two thousand manats or by public works for the period from three hundred twenty up to four hundred eighty hours.

165-2.2. The same acts committed:

165-2.2.1. repeatedly;

165-2.2.2. by a group of persons upon a preliminary conspiracy or by an organized group -

- are punishable by a the penalty with confiscation of property at a rate from two thousand to four thousand manats, or corrective works for the term of up to two years, or restraint of freedom for the term up to two years, or imprisonment for the term up to two years.

Note: In this article, the words "significant damage" refers to the amount exceeding one thousand Manats.

### Article 165-3. **Illegal use of information packets**

165-3.1. Illegal use of information packets, if these acts caused damage in the significant amount-

- is punishable by a the penalty at a rate from one thousand to two thousand manats, with confiscation of property or public works for the period from three hundred twenty to four hundred eighty hours.

165-3.2. The same acts committed:

165-3.2.1. repeatedly;

165-3.2.2. by a group of persons upon a preliminary conspiracy or by an organized group, -

- are punishable by a the penalty at a rate from two thousand to four thousand manats, or corrective works for the term of up to two years, or restraint of freedom for the term up to two years, or imprisonment for the term up to two years.

Note: "Significant amount" in this article refers to the sum of over one thousand Manats.

### Article 166. **Infringement voting and patent rights**

166.1. Infringement voting and patent rights, is illegal use of invention or efficiency proposal, disclosure without well of author of essence of invention and efficiency proposal before official publication of data on them, assignment of authorship, compulsion to co-authorship and as a result of these acts the damage caused was in significant size—

- is punishable by the penalty at a rate from one thousand to two thousand Manats or public works for the term from three hundred twenty to four hundred eighty hours.

166.2. The same acts committed:

166.2.1. repeatedly;

166.2.2. on preliminary arrangement by group of persons and by organized group—

- is punishable by the penalty at a rate of from two thousand to four thousand manats, or corrective works for the term of up to two years, or restraint of freedom for the term up to two years, or imprisonment for the term up to two years

### Article 197. **Illegal use of trademarks**

197.1. Illegal use of another's trademark or service mark, origin name of a place of goods or similar designations of goods, committed repeatedly or caused damage in the

significant size—

- shall be punishable by a fine from twice to four times of the amount of damage (income) incurred as a result of a crime, or corrective works for up to two years, or restraint of freedom for the term of one year, or imprisonment for the term up to one year.

197.2. The same act causing damage in the large scale—

- shall be punishable by a fine from three times to five times of the amount of damage (income), incurred as a result of a crime, or restraint of freedom (see) for the term of up to three years, or imprisonment for up to two years.

**Article 205-2. Deliberate destruction, forgery, illegally manufacture, use and sale of control marks**

205-2.1. Deliberate destruction, forgery, illegally manufacture, use and sale of control marks, if as a result of these acts caused extensive damage -

- shall be punishable by a fine from twice to four times of the amount of damage, caused as a result of the crime or correctional works for up to two years or imprisonment for up to one year.

205-2.2. The same acts committed:

205-2.2.1. repeatedly;

205-2.2.2. a group of persons by previous concert or by an organized group;

205-2.2.3. and causing damage on a large scale -

- shall be punishable by a fine from three times to five times of the amount of damage, incurred as a result of crime or by imprisonment for a term of two to four years.