



INSTITUCIONET E PËRKOSSHME TË VETËQEVERISJES
PRIVREMENE INSTITUCIJE SAMOUPRAVLANJA
PROVISIONAL INSTITUTIONS OF SELF-GOVERNMENT

QEVERIA E KOSOVËS / MINISTRIA E TREGTISË DHE INDUSTRIË
VLADA KOSOVA / MINISTARSTVO TRGOVINE I INDUSTRIJE
GOVERNMENT OF KOSOVO / MINISTRY OF TRADE AND INDUSTRY

Pursuant to UNMIK Regulation No. 2001/19, “*On The Executive Branch of the Provisional Institutions of Self-Government*” article 1, paragraph 1.3, item (d) and the Law no. 2004/49 “*for Patenting*” article 80, Law No. 02/L-100 “*On Changing and Fulfilling*” of Law No. 2004/49 “*On Patenting*”, article 1 and 2, Law No. 02/L-54 “*On Trade Marks*”, article 91, and Law No. 02L-45 “*On Industrial Design*”, article 59, the Minister of Trade and Industry issues:

ADMINISTRATIVE INSTRUCTION No. 2007/14

ON APPLICATIONS OF PATENTS, TRADE MARKS, INDUSTRIAL DESIGNS, ISSUED PATENTS, TRADE MARKS AND KNOWN INDUSTRIAL DESIGNS PRIOR TO ENTERING IN FORCE OF THIS AI

General Provisions

Purpose

Article 1

This Administrative Instruction maintains the passing-accepting procedures on acknowledging of patents rights, trade marks, industrial design, (on the following text of industrial estate (holding) facility) at the Industrial Property Office, by including the registration at the relevant registries and acknowledgement of application date for industrial estate (holding) facilities.

Article 2

The Person who, until the date of entering into force of AI No 2007/6 of the date 01.10.2007, is the owner of a protected industrial estate (holding) facility in former FRY, within a limit of 12 months from this date can submit a request at the Office for registration at the relevant registries of industrial estate (holding) facility.

Article 3

The Person who, until the date of entering into force of AI No 2007/6, has submitted the application for issuing of a patent, trade mark or industrial design in (FRY), within 12 months from this date can submit an application for acknowledgment of any of the industrial estate (holding) facility by acknowledging the application date and if the priority is claimed, any date of this priority that is allocated to this application.

Application

Article 4

Person that applies according to the article 2 of this AI will be filling the application for registration at the relevant registry of industrial estate (holding) facility, by paying the registration tax foreseen on AI “On Administrative Taxes for industrial estate (holding) facilities” and for the facilities that annual maintenance tax is foreseen, the annual maintenance tax for the remained period.

Article 5

Person that applies according to the article 3 of this AI will be filling the application on acknowledging the earlier date of application, by paying all taxes foreseen on AI “On Administrative Taxes for industrial estate (holding) facilities” these kind of applications will be submitted to the foreseen procedures by law and sub-legal acts for Patenting, Trade Marks and Industrial Design.

Article 6

6.1 Person that applies according to the article 2 and 3 of this AI, if in case of application did not offer enough evidence that can prove his right according to the article 2 and 3, within 2 months from the application date, must bring the evidences to prove his right that certifies he is the owner of industrial estate (holding) facility, respectively the application evidence.

6.2 If the conditions from the paragraph 6.1 of this article are not met, the Office issues a verdict refusing the application.

Content of Application

Article 7

Application for registration should consist:

- a) a request on registering the industrial estate (holding) facility;
- b) name and surname of the announcer of application according to the AI in force;
- c) name and surname of the authorized representative according to the AI in force;
- d) evidence (certificate) with which it is proven the right for registration at the relevant registry of the industrial estate (holding) facilities for requests according to the article 2 of this AI;

- e) an evidence on application submission for reckoning of rights for industrial ownership facilities;
- f) evidences on administrative tax payment.

Temporary and Final Provisions

Validity termination of acts

Article 8

By entering into force of this administrative instruction all sub-legal judicial acts that regulated this area are invalidated.

Entering into force

Article 9

This Administrative Instruction enters into force on day of signing by the Minister of Trade and Industry.

Prishtinë, 19.09.2007

Ministri i Tregtisë dhe Industrisë

Bujar DUGOLLI
