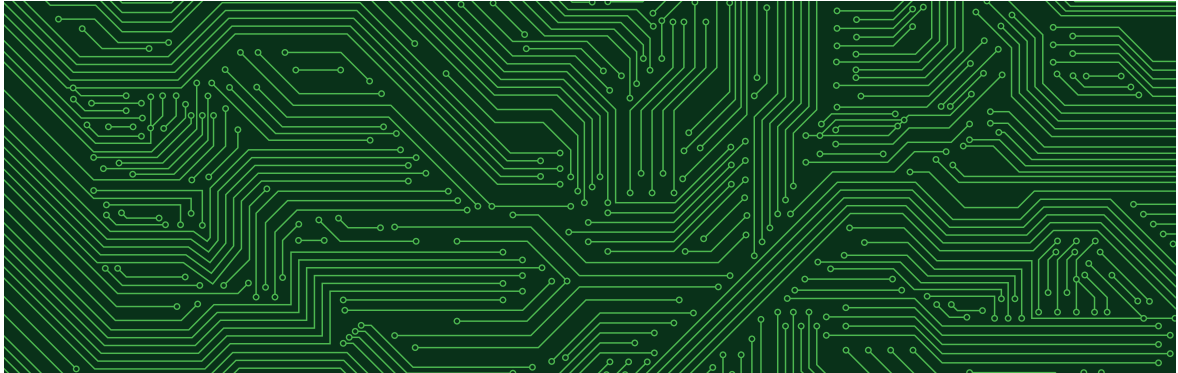


INTELLECTUAL
PROPERTY RIGHTS
IN A NUTSHELL

Microchips

In the second half of the 1970s, a new technological gadget was created: the microchip.



Considering the creation of a microchip requires a great deal of effort and investment, the possibilities for its protection were considered and it was found that the existing protection mechanisms (e.g. copyright and patents) were insufficient as they could only protect certain parts of the microchips. Therefore, a more **specific protection mechanism** was created, **based largely on copyright protection**.

Microchip protection is concretely granted for the **topography of the microchip**, provided that it is the result of the **creator's own intellectual efforts** and is **not generally known** in the semiconductor industry. Compared to classic copyright protection, one will therefore not have to demonstrate the creator's personal touch, but some form of novelty will have to be demonstrated.

If the conditions are met, protection arises **automatically**. **No administrative formality** (registration) is required.

The creator has **two economic rights**. Firstly, the exclusive right to **reproduce** the microchip or to have it reproduced. In addition, the creator also has the exclusive right to the **commercial exploitation** (i.e. import, offer for sale and put on the market by selling, renting, leasing etc.) of the microchip.

The protection lasts for a period of **10 years** after the first exploitation, or in the absence thereof, for **15 years** after the first fixation.



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