IC Layout Designs

95. What does Semiconductor Integrated Circuits Layout-Design Act, 2000 cover?

It provides protection for semiconductor IC layout designs. Layout design includes a layout of transistors and other circuitry elements and includes lead wires connecting such elements and expressed in any manner in a semiconductor IC. Semiconductor IC is a product having transistors and other circuitry elements, which are inseparably formed on a semiconductor material or an insulating material or inside the semiconductor material and designed to perform an electronic circuitry function.

96. What is not registrable as IC layout design?

An IC layout design is not registrable if it is:
1. Not original;
2. Commercially exploited anywhere in India or in a convention country;
3. Inherently not distinctive;
4. Inherently not capable of being distinguishable from any other registered layout design

Note: Design not exploited commercially for more than 2 years from date of registration of application shall not be treated as commercially exploited for the purpose of this Act.

97. What is the term of an IC layout design protection?

The term is 10 years from the date of filing or from the date of first commercial exploitation anywhere in any country whichever is earlier.

98. What constitutes an infringement under the Act?

Reproducing, importing, selling and distributing the IC layout design for commercial purposes only constitutes infringement. A layout design created on the basis of scientific evaluation of a registered layout design shall not constitute any infringement.

99. What is the cost of registering IC layout design application in India?

Some important fees are given below:

<table>
<thead>
<tr>
<th>No</th>
<th>Action</th>
<th>Official fee</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>On application to register a layout - design</td>
<td>Rs.5000/-</td>
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<tr>
<td>2</td>
<td>On request for certificate of the Registrar</td>
<td>Rs.1000/-</td>
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