

## Circuit Layouts

### Semiconductor Chip Protection

Copyright-style intellectual property rights are available to the inventors of original layouts (i.e. masks) for integrated circuits. However, there is no provision for registration of those rights. The rights automatically flow to eligible persons upon creation of the original layouts.

You are eligible to these rights if you are an Australian citizen or corporation or a citizen or corporation in a country which offers reciprocal rights to Australian citizens and corporations. These include:

Belgium	France	Luxembourg	Sweden
Canada	Germany	Netherlands	Switzerland
Denmark	Greece	Norway	Turkey
Eire	Italy	Portugal	United Kingdom
Finland	Japan	Spain	USA

### What Rights are Conferred?

As the owner, you have the exclusive right to:

- Copy the layout, directly or indirectly, in a material form;
- Make an integrated circuit in accordance with the layout or a copy of the layout;
- Exploit the layout commercially within Australia.

Your rights are infringed if the layout is copied, an integrated circuit is made in accordance with the layout, or the layout is commercially exploited by someone without your permission or licence. This also applies where a substantial part of the layout is used. You can take action for an infringement before the Courts.

However, commercial exploitation by a person who does not know and could not reasonably be expected to know that rights in the layout existed, is not an infringement. Marking of layouts, integrated circuits, and/or packaging to be sold puts the public on notice that rights exist.

Infringement does not include copying for private use, copying for evaluation, analysis, research or teaching purposes, or copying for so-called reverse engineering purposes. The rights include taking action for an infringement, and having the court grant an injunction and award either damages or an account of profits.

### How Long Do Rights Last?

The period of protection is 10 years from the date of making the layout. However, any delay in commercially exploiting the layout may increase the term to a maximum period of 20 years.

**For more information please visit our website  
[www.griffithhack.com.au](http://www.griffithhack.com.au)**

