

LEGAL ALERT

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Uzbekistan tightens the measures for intellectual property protection

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Starting November 10, 2025 a new measure will take effect in the Republic of Uzbekistan aimed at strengthening the effective protection of the interests and legal rights of intellectual property owners. The key innovation is the addition of Article 149² to the Criminal Code of the Republic of Uzbekistan, which introduces criminal liability for the illegal use of trademarks, trade names, geographical indications and appellations of origin.

The new article in the Criminal Code shall significantly increase the level of responsibility compared to the existing administrative liability (Article 177 of the Code of Administrative Offenses of the Republic of Uzbekistan).

Below please find a comparative analysis of administrative and criminal liability.

The main differences between administrative (Article 177 of the Code of Administrative Offenses) and criminal (Article 149² of the Criminal Code) liabilities lie in the damage threshold, the amount of sanctions, and the possibility of exemption from liability.

1. Damage threshold and offense classification

Administrative liability does not require proof of damage; a fact of illegal

use is sufficient for prosecution.

Criminal liability applies only if the illegal use has caused major or particularly major damage.

Major damage is defined as a range from 300 to 500 BRV (Basic Calculation Value), which is approximately US \$9,600 to US \$16,000.

Particularly, major damage is defined as damage exceeding 500 BRV, equivalent to more than US \$16,000.

2. Sanctions for offenses

Administrative liability is limited to fines and confiscation of the items of the offense. For the first time the fine is 15 to 30 BRV (US \$480-\$960). For a repeated offense within a year, it increases to 30-50 BRV (US \$960-\$1,600).

Criminal liability provides for more extensive penalties. For the first time resulting in major damage, the violator faces a fine of up to 100 BRV (US \$3,200), correctional labor of the same value, restriction of freedom, or imprisonment for up to 2 years. For a repeated offense or if an offence has been done under aggravating circumstances, the punishment is stricter – a fine of up to 150 BRV (US \$4,800) or imprisonment for up to 3 years. Confiscation can be ordered as a part of the criminal sentence.

3. Exemption from liability

Administrative liability does not provide for any possibility of exemption from liability after the violation has been identified.

Criminal liability introduces a new mechanism to avoid punishment. If the crime is committed for the first time and the damage is fully compensated within 30 days from the time the offense is discovered, the person is exempt from criminal liability.

In conclusion, the introduction of this new article into Uzbekistan's Criminal Code is an important step toward strengthening legal protection for intellectual property in the country. The implementation of criminal liability for major damage, as well as the ways for exemption from it upon voluntary compensation are designed not only to toughen the penalties for serious violations but also to encourage the violators to restore the rights

of the injured party.

About Bolotov & Partners

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