



IP/IT News Digest: Issue 6 – February 2018

The IP/IT NEWS DIGEST is an overview of the latest Kazakhstan IP and IT market and e-commerce news and trends. In it, we highlight the most significant sector amendments and events affecting the EEU. Deloitte Legal offers consulting services to devise innovative strategic solutions for businesses and we actively trace and comment on the most significant initiatives shaping the world of business and setting new market game rules in innovation, technology and internet regulation.

Changes to the process for making anonymous network comments

Law № 128-VI dated 28 December 2017 has amended a number of data and communication related legislative acts (the "Law"), so that from January 2018 comments on a public electronic data resource will only be allowed once its owner enters into an agreement (including electronic). This involves either:

- a) registering on the "e-gov" website or
- b) using a mobile number to be registered on the public electronic data resource with a brief text message containing a one-off password to enter into an agreement.

This will help to identify the individual making the comments, even if he/she uses a pseudonym to place information on the Internet, which is not prohibited.

Changes to the Rules for providing mobile services

Among others the following changes to the Rules for providing mobile services came into force from January 2018:

- a subscription fee is no longer charged if services are suspended not through the fault of the customer;
- a single information service number has been created for all operators – 116;
- mobile operators are now entitled, at their discretion, to provide additional free information services. Operators should inform subscribers of the cost of paid services if they applicable;
- mobile service agreements may now be concluded using a digital signature;

obligatory mobile service agreement points have been changed, such as termination clauses. For example, corporate subscriber details require only a BIN. More clarity has been introduced that agreement can be terminated if a subscriber unilaterally terminates its agreement or changes a number.

Integrated platform for the reserve storage of data resources

The Law also introduced certain changes to the Entrepreneurial Code. So that if an entity owns or otherwise holds a critically important data communication facility, it should transfer a reserve copy of the same to an integrated reserve electronic data

storage platform managed by the Committee of National Security (CNS).

These amendments were introduced to protect state and quasi-public data and databases from failure and prevent reduce threats to national security.

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- Services on protection of IP rights and structuring of contracts on transfer of non-material assets and technology;
- Legal structuring of projects in the sphere of electronic commerce and legal support of investments towards technological projects;
- We provide services to the technological projects and can offer the legal consulting services on implementation of new technology in electronic commerce, electronic document management and other matters tailored to your business.

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