

# ASGARDIA

## PARLIAMENT



### Asgardia Digital Properties Act

Third Reading

Edition: 24.06.2024

#### Core Principles

Our core principle is ensuring that our intellectual property laws are robust and meticulously aligned with international regulations. This alignment, along with the rules of Asgardia Space Nation, the Asgardia Supreme Values, and the Asgardia Constitution, provides a solid and reliable legal framework that instills confidence in our residents and the international intellectual property communities.

1. To establish intellectual properties, including that in digital form, in nature and scope.
2. To define and protect the rights of those who have intellectual property.
3. To define the relationship between intellectual property in Asgardia and International communities.

#### Articles:

1. Registering Intellectual Property
2. Digital Property
3. Copyrights
4. Patents
5. Trademarks
6. Other Provisions
7. Original Authorship Rights
8. Moral Authority
9. Right of Attribution
10. Right of Integrity
11. Asgardia Nation Intellectual Property Protection
12. Confidential Information
13. Copyright, Patent, Trademark, and Digital Property Infringement
14. Asgardia Intellectual Security

#### Purpose:

The Asgardia Digital Properties Act is a crucial tool in our unwavering commitment to protect the rights of those who create original works, including art, culture, inventions, and identification marks. It stimulates and nurtures innovative technologies, artistic expressions, designs, and economic growth. By using copyrights, patents, trademarks, and digital properties as tools for protecting intellectual property rights, we are aligning Asgardia Nation with the international physical and digital intellectual property communities. This Act ensures that the intellectual

properties of the Asgardia Space Nation and its residents are protected and deeply valued.

## **Legal Basis:**

The Asgardia Space Nation Constitution, the bedrock of our legal system, shall serve as the ultimate authority for this Act, guiding its implementation and interpretation within the framework of its relevant provisions. This reiteration emphasizes the reliability and strength of the legal framework, instilling confidence in our residents and the international intellectual property communities.

## **Article**

### **1. Registering Intellectual Property**

**1.1.** Asgardia Space Nation's intellectual property registration shall apply to Asgardia's national jurisdiction.

**1.2.** As an Asgardian, you possess the authority to protect your intellectual property. To do so, you need to follow a clear and straightforward process. First, register your intellectual property within the geographical location of said property through the governmental agency in that location. The registration process ensures that your rights are legally binding unless you assign exclusive property rights to the Asgardia Space Nation. This process empowers you to protect your creations and ensures that your rights are respected.

**1.3.** Existing copyrights, patents, trademarks, and digital properties are evidence of original authorship and can be registered through the Asgardia Space Nation.

**1.4.** The relevant Asgardian authority shall manage Asgardian copyrights, patents, trademarks, and digital properties according to appropriate protocols and procedures that will include:

**1.4.1.** A registration or application process

**1.4.2.** An explanatory process

**1.4.3.** A financial process, including fees

**1.4.4.** A legal process to include dispute settlements and legal precedence.

### **2. Digital Property**

**2.1.** 'Digital Property' will be considered any property that travels, is stored, sent, or received through a digital means selected as private property or has previously recognized ownership rights.

**2.2.** 'Digital Property' includes digital addresses and the mechanisms that read, transmit, store, and receive data.

### **3. Copyrights**

**3.1.** A 'copyright' provided by the laws of the nations of Earth and the Asgardia Space Nation will be recognized as a form of protection. It will be regarded as evidence of an 'original work of authorship.' This recognition includes literary, musical, artistic, and other creative works. Material not protected by copyright (or otherwise protected) is available for use by anyone without the author's consent. A copyright holder can prevent others from copying, performing, or using the work without their consent.

### **4. Patents**

**4.1.** A 'patent' shall be considered a legal title that protects a technical/commercial invention for a set time interval. It gives the owner the right to prevent others from exploiting the invention

within the Asgardia Space Nation jurisdiction.

## **5. Trademarks**

**5.1.** A 'trademark' shall be considered any word, name, symbol, design, or combination used in commerce or organizational purposes to identify and distinguish the identity, products, or services of manufacturers, sellers, or organizations from those of another and to indicate the source of their products, services, and identity.

## **6. Other Provisions**

**6.1.** Under exceptional circumstances, it may be necessary to register under more than one intellectual property category. This will be established later on down the line by precedent.

## **7. Original Authorship Rights**

**7.1.** Any Artist or Creator of original works of art, text, graphs, designs, developments, improvements, inventions, discoveries, blueprints, documents, processes, or ideas will, by default, have intellectual property protection in Asgardia Space Nation on such work for at least one year once it is first recognized in the registration system. During this period, they can seek to fully register a formal intellectual property registration before said period lapses. Unrecognized or expired properties will be considered public domain and not protected.

## **8. Moral Authority**

**8.1.** Independently of the author's economic rights, and even after transferring the said rights, the author may claim authorship of the work and object to any distortion, mutilation, or other modification of or other derogatory action concerning the said work. Action regarding such an objection will be considered by the relevant authorities as adjudicated through the courts.

## **9. Right of Attribution**

**9.1.** The author may have their name on their work, use a pseudonym, or remain anonymous.

## **10. Right of Integrity**

**10.1.** The author may object to any changes to manipulation or misrepresentation of their work that may harm their reputation. Witness testimony about this harm would determine this question of fact in a court.

## **11. Asgardia Nation Intellectual Property Protection**

**11.1.** "Inventions" will be considered as any invention, discovery, design, development, process, or improvement discovered or created by a person for the Asgardia Space Nation, found or created alone or in conjunction with others. If, within one year of production of such work, the individual(s) responsible has not exercised the option to copyright, patent, or trademark such work, such an invention shall be considered the property of the Asgardia Space Nation.

**11.2.** If, in the course of a person's engagement by the Asgardia Space Nation, they use, provide, or incorporate into any goods or services exclusively for the nation intellectual property, Asgardia shall own the intellectual property and proprietary rights for the work,

including:

**11.2.1.** to make, use, copy, modify, and create derivative works of such intellectual property,

**11.2.2.** to publicly perform or display, import, broadcast, transmit, distribute, license, offer to sell, and sell, rent, lease, or lend copies of such intellectual property (and derivative works thereof) and

**11.2.3.** to sublicense to third parties the preceding rights, including the right to sublicense to further third parties.

**11.3.** Someone seeking intellectual property rights may authorize an agent and attorney-in-fact to act on behalf of the person to issue patents, copyrights, trademarks, digital properties, or other protections with the same legal force and effect as if executed by the person.

**11.4.** The Asgardia Space Nation trademarks and logos may be used following the relevant authorities' formal consent, including any financial obligations concerning such use.

## **12. Confidential Information**

**12.1.** All information disclosed or observed related to the Asgardia Space Nation and identified as proprietary or confidential will be treated as such by all parties. In this Article:

**12.1.1.** Proprietary shall mean goods or services used, produced, or marketed under the exclusive legal right of the inventor, maker, or service provider protected under trade secret, patent, trademark, copyright, or digital property law.

**12.1.2.** Trade Secret shall mean data, material, formula, pattern, compilation, program, device, method, technique, or process unique to an entity that uniquely uses these practices and procedures as part of their process.

## **13. Copyright, Patent, Trademark, and Digital Property Infringement**

**13.1.** In patent law, direct infringement occurs when a person without authorization makes, uses, offers to sell, or sells any patented invention within Asgardia or Nations of Earth or imports into Asgardia any patented design during the term of the patent thereof.

**13.2.** In copyright law, direct infringement occurs when a person without authorization reproduces, distributes, displays, performs a copyrighted work, or prepares a derivative work based on a copyrighted one.

**13.3.** In trademark law, direct infringement occurs when a person without authorization uses a registered mark in trade and commerce with intent to deceive or cause confusion concerning the trademark's rightful ownership.

**13.4.** In digital properties law, direct infringement occurs when a person without authorization reproduces, distributes, copies, highjacks, pirates, hacks, displays, performs, mimics, clones, or represents any digital assets.

## **14. Asgardia Intellectual Security**

**14.1.** Intellectual properties must be safeguarded and not disclosed to third parties or other parties who are not directly involved or have a perceived interest in them unless authorized by their authorship.

**14.2.** The relevant authorities will ensure that intellectual property related to life-essential services or products remains economically and availability-proportionally manageable.

**14.3.** Failure to comply with any Asgardia Space Nation intellectual security provisions may result in punitive actions determined by relevant Asgardian laws, the Asgardian Constitution, The Asgardian Supreme Values, the Supreme Space Council, or any legal entity or action deemed appropriate and established within relevant codes.