

ARMENIA

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none"> • Preliminary patents (granted on the basis of preliminary examination) • Principal patents (granted on the basis of substantive examination) • Utility models 	N.A
Term of protection	<ul style="list-style-type: none"> • Principal patents: 20 years • Preliminary patents: 10 years • Utility models: 10 years • Extension of patent term is possible on the following grounds: <ul style="list-style-type: none"> - Regulatory approval for pharmaceuticals - Regulatory approval for agricultural chemicals 	October 26, 1999 – Extension of patent term for preliminary patents from 5 to 10 years.
Subject matters excluded from patentability or not considered to be inventions	<ul style="list-style-type: none"> • The following subject matters are excluded from patentability: <ul style="list-style-type: none"> - Discoveries - Scientific theories/mathematical methods - Aesthetic creations - Mental acts - Business methods - Inventions contrary to morality/public order • The following subject matters are not considered to be inventions: <ul style="list-style-type: none"> - Isolated parts of human beings - Plant and animal varieties - Nucleotide and/or amino acid sequences (considered to be patentable inventions only if they have any practical function, any industrial application) 	November 18, 2004 – Introduction of provisions regarding unpatentable subject matter as follows: (a) processes for cloning human beings; (b) processes for modifying the germ line genetic identity of human beings; (c) uses of human embryos for industrial or commercial purposes; (d) processes for modifying the genetic identity of animals, also animals resulting from such processes.
Filing language	<ul style="list-style-type: none"> • Filing an application in languages other than an official language is possible. The time limit to provide translation into an official language is 2 months from the filing date. 	No

Certain requirements relating to filing	<ul style="list-style-type: none"> The inventor rarely waives his right to be mentioned in the patent. 	No
Link between different inventions in the same application	<ul style="list-style-type: none"> It is not possible to file provisional applications. 	
Publication	<ul style="list-style-type: none"> The most frequent route used by foreign applicants to file patent applications is the PCT procedure (Patent Cooperation Treaty). 	
Classification system	<ul style="list-style-type: none"> The applicable law allows that the claims in a patent application relate to a group of inventions so linked as to form a single general inventive concept (unity of invention standard). 	No
Search and examination	<ul style="list-style-type: none"> The information related to the application is published or open for public access 2 months from the date of filing. 	October 26, 1999 – Since that date, the abstract is also published. Before that date, only the bibliographic data, claims and the full description of the patent were published.
Search and examination	<ul style="list-style-type: none"> The patent classification system used is the International Patent Classification (IPC) system. 	N.A
Search and examination	<ul style="list-style-type: none"> The applicable law establishes a substantive search and examination system. Search and examination are combined. For patents, the applicant is required to request the search and examination upon the expiration of a period of 7 years of the life of the preliminary patent. For utility models, the filing of an application automatically implies an examination. During the examination procedure, the following criteria are examined. For patents: - Novelty - Inventive step/non obviousness - Unity of invention For utility models: - Exclusion from patentability - Unity of utility model 	N.A
Specific legal provision regarding ownership of patents derived from public (government) research funding	<ul style="list-style-type: none"> No 	No

<p>Exceptions to exclusive rights conferred by a patent</p>	<ul style="list-style-type: none"> • There are exceptions to the exclusive rights conferred by a patent as follows: <ul style="list-style-type: none"> - Private use - Compulsory licenses - Governmental use - Research and/or experimental exception - Preparation of medicines in accordance with medical prescriptions by physicians - Prior user's right 	<p>No</p>
<p>Options to challenge a patent</p>	<ul style="list-style-type: none"> • There are the following options to challenge a patent or a utility model: <ul style="list-style-type: none"> - Pre-grant administrative procedure: (i) reexamination within 2 months from the date of receipt of the decision ; (ii) opposition to the Agency's Board of Appeals against the decision of reexamination within 2 months from the date of receipt of the decision of reexamination; (iii) appeal to the Court within 6 months from the date of receipt of the decision of examination, reexamination and decision of the Board of Appeals. - Post-grant administrative/quasi-judicial procedure: (i) opposition to the Agency's Board of Appeals against grant of a patent: no time limit; (ii) appeal to the Court within 6 months from the date of receipt of the decision of the Board of Appeals. 	<p>No</p>