

LATVIA

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none"> • Patents 	N.A
Term of protection	<ul style="list-style-type: none"> • 20 years from the filing date • Patent term extension is possible on the basis of: <ul style="list-style-type: none"> - Regulatory approval for pharmaceuticals - Regulatory approval for agricultural chemicals 	No
Subject matters excluded from patentability or not considered as inventions	<ul style="list-style-type: none"> • The following subject matters are excluded from patentability: <ul style="list-style-type: none"> - Plant and animal varieties - Diagnostic, therapeutic and surgical methods for the treatment of humans and animals - Inventions contrary to morality/public order • The following subject matters are not considered to be inventions: <ul style="list-style-type: none"> - Discoveries - Scientific theories/mathematical methods - Aesthetic creations - Mental acts - Presentation of information - Computer programs - Business methods • It is possible to grant patents for inventions pertaining to plant and animals if the implementation of the patent is not confined for technical reasons to a particular plant or animal variety. 	No

Filing language	<ul style="list-style-type: none"> It is possible to file in languages other than official languages. The time limit to provide translation of claims and abstract into an official language is 3 months. 	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
	<ul style="list-style-type: none"> It is not possible to file provisional applications. 	
	<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). 	
Link between different inventions in the same application	<ul style="list-style-type: none"> The applicable law allows that the claims in a patent application relate to a group of inventions according to the unity of invention standard. 	No
Publication	<ul style="list-style-type: none"> The information related to the application is published or open for public access 18 months from the date of filing or from the priority date. It can also be published earlier if the applicant requests so. 	No
Classification system	<ul style="list-style-type: none"> The patent classification system used is the International Patent Classification (IPC). 	N.A
Search and examination	<ul style="list-style-type: none"> The applicable law does not establish a substantive search and examination system. 	N.A
Specific legal provision regarding ownership of patents derived from public (government) research funding	<ul style="list-style-type: none"> No 	No
Exceptions to exclusive rights conferred by a patent	<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 - Research and/or experimental exception - Preparation of medicines in accordance with medical prescriptions by physicians - Prior user's right 	No

Options to challenge a patent	<ul style="list-style-type: none">• There are different options to challenge a patent as follows:<ul style="list-style-type: none">- Post-grant administrative/quasi judicial procedure within 9 months from the publication of grant- Court procedure	No
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