

**LITHUANIA**

*Status as of May 2005*

<b>FEATURES</b>	<b>STATUS</b>	<b>CHANGES IN LAWS SINCE 1990</b>
<b>Types of protection for inventions</b>	<ul style="list-style-type: none"><li>• Patents</li></ul>	N.A
<b>Term of protection</b>	<ul style="list-style-type: none"><li>• 20 years</li><li>• Extension of patent term is possible on the following grounds:<ul style="list-style-type: none"><li>- Regulatory approval for pharmaceuticals</li><li>- Regulatory approval for agricultural chemicals</li></ul></li></ul>	January 1, 2002 – Introduction of Supplementary Protection Certificates for plant protection products and for medicinal products.
<b>Subject matters excluded from patentability or not considered to be inventions</b>	<ul style="list-style-type: none"><li>• The following subject matters are excluded from patentability:<ul style="list-style-type: none"><li>- Discoveries</li><li>- Scientific theories/mathematical methods</li><li>- Aesthetic creations</li><li>- Presentation of information</li><li>- Computer programs</li><li>- Business methods</li><li>- Animals</li><li>- Plants</li><li>- Plant and animal varieties</li><li>- Diagnostic, therapeutic and surgical methods for the treatment of humans and animals</li><li>- Inventions contrary to morality/public order</li></ul></li></ul>	No
<b>Filing language</b>	<ul style="list-style-type: none"><li>• The application shall be filed in Lithuanian. However, other documents can be filed in other languages (English, German, French and Russian). The time limit to provide translation into an official language of these documents is 3 months from the filing date.</li></ul>	No

<b>Certain requirements relating to filing</b>	<ul style="list-style-type: none"> <li>• The inventor rarely waives his right to be mentioned in the patent.</li> <li>• It is not possible to file provisional applications.</li> <li>• The most frequent route used by foreign applicants to file patent applications is the PCT procedure (Patent Cooperation Treaty).</li> </ul>	No
<b>Link between different inventions in the same application</b>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>	No
<b>Publication</b>	<ul style="list-style-type: none"> <li>• 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. The applicant can request to have his application published earlier but not before 6 months from the filing date.</li> </ul>	No
<b>Classification system</b>	<ul style="list-style-type: none"> <li>• The patent classification system used is the International Patent Classification (IPC) system.</li> </ul>	N.A
<b>Search and examination</b>	<ul style="list-style-type: none"> <li>• The applicable law does not establish a substantive search and examination system.</li> </ul>	N.A
<b>Specific legal provision regarding ownership of patents derived from public (government) research funding</b>	<ul style="list-style-type: none"> <li>• No</li> </ul>	No
<b>Exceptions to exclusive rights conferred by a patent</b>	<ul style="list-style-type: none"> <li>• There are exceptions to the exclusive rights conferred by a patent as follows: <ul style="list-style-type: none"> <li>- Private use</li> <li>- Compulsory licenses</li> <li>- Governmental use</li> <li>- Research and/or experimental exception</li> <li>- Preparation of medicines in accordance with medical prescriptions by physicians</li> <li>- Prior user's right</li> <li>- Sale or other form of commercialisation of plant propagating material to a farmer by the holder of the patent or with his consent for agricultural use</li> <li>- Sale or any other form of commercialisation of breeding stock or other animal reproductive material to a farmer by the holder of the patent or with his consent.</li> </ul> </li> </ul>	July 14, 2005 – Introduction of the following exceptions: (i) Sale or other form of commercialisation of plant propagating material to a farmer by the holder of the patent or with his consent for agricultural use and (ii) Sale or any other form of commercialisation of breeding stock or other animal reproductive material to a farmer by the holder of the patent or with his consent.

<b>Options to challenge a patent</b>	<ul style="list-style-type: none"><li>• There are different options to challenge a patent as follows:<ul style="list-style-type: none"><li>- Pre-grant administrative procedure: within 3 months, the applicant may file an appeal against the decision of the examiner to reject the application or not to grant a priority date.</li><li>- Court procedure</li></ul></li></ul>	No
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