

<b>RUSSIAN FEDERATION</b>		
<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> <li>• Utility models</li> </ul>	No
<b>Term of protection</b>	<ul style="list-style-type: none"> <li>• Patents: 20 years</li> <li>• Utility models: 5 years (can be extended until 3 years)</li> <li>• The 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>	March 11, 2003 – Introduction of patent term extension for inventions relating to a medicine, a pesticide or an agricultural chemicals.
<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>- Plant and animal varieties</li> <li>- Inventions contrary to morality/public order</li> <li>- Topographies of integrated circuits</li> </ul> </li> <li>• The following subject matters are not considered to be inventions: <ul style="list-style-type: none"> <li>- Discoveries</li> <li>- Scientific theories/mathematical methods</li> <li>- Aesthetic creations</li> <li>- Mental acts</li> <li>- Presentation of information</li> <li>- Computer programs</li> <li>- Business methods</li> </ul> </li> </ul>	March 11, 2003 – A provision regarding topographies of integrated circuits was introduced to exclude them from patentability.

<b>Filing language</b>	<ul style="list-style-type: none"> <li>Filing an application in languages other than an official language is possible. A request for the grant of a patent shall be filed in Russian. Other documents of the application may be presented in another language. The Russian translation of these documents must be submitted within 2 months following the date of the receipt of the invitation to submit such translation.</li> </ul>	March 11, 2003 – Before that date, the Russian translation had to be submitted within 2 months from the date of the receipt of the application documents; otherwise the documents were considered to be received on the date of the submission of their Russian translation (this was affecting the filing date).
<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> </ul>	No
	<ul style="list-style-type: none"> <li>It is not possible to file provisional applications.</li> </ul>	
	<ul style="list-style-type: none"> <li>The most frequent route used by foreign applicants to file patent applications is the PCT procedure (Patent Cooperation Treaty).</li> </ul>	
<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. The applicable standard is the unity of invention.</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 and when the patent is granted.</li> </ul>	March 11, 2003 – Introduction of a provision in the law stipulating that the particulars of the applications that are recalled or considered recalled before the expiry of 12 months from the filing date are not published.
<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 establishes a substantive search and examination system.</li> <li>Search and examination are combined. The applicant is required to request the search and examination through a combined request.</li> <li>During the examination procedure, the following criteria are examined: <ul style="list-style-type: none"> <li>- Novelty</li> <li>- Inventive step/non obviousness</li> <li>- Industrial applicability/utility</li> </ul> </li> </ul>	N.A

<p><b>Specific legal provision regarding ownership of patents derived from public (government) research funding</b></p>	<ul style="list-style-type: none"> <li>• Yes - The law stipulates that, in the case of works carried out under a state contract, the patent right belongs to the contractor (e.g.: university). However, a state contract may stipulate that the right belongs to the state.</li> </ul>	<p>March 11, 2003 – Introduction of a specific legal provision regarding ownership of patents derived from public research funding.</p>
<p><b>Exceptions to exclusive rights conferred by a patent</b></p>	<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>- 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>- Exception of Article 5ter (2) of the Paris Convention</li> <li>- Use of a patented invention or utility model in emergency situations</li> <li>- Importation into the Russian Federation, utilization, offer for sale, selling, other introduction into civil circulation of a product incorporating a patented invention, utility model, if such product has been introduced into circulation in the Russian Federation earlier by the patent owner.</li> </ul> </li> </ul>	<p>No</p>
<p><b>Options to challenge a patent</b></p>	<ul style="list-style-type: none"> <li>• The different options to challenge a patent are as follows: <ul style="list-style-type: none"> <li>- Post-grant administrative/quasi judicial procedure (opposition) before the Chamber of Patent Disputes of Rospatent, on certain grounds. Decisions of the Chamber of Patent Disputes of Rospatent may be contested before courts.</li> <li>- Court procedure</li> </ul> </li> </ul>	<p>March 11, 2003 – Before that date, oppositions were considered by the Board of Appeals of Rospatent. Any party could then file, within 6 months, an opposition against the decision of the Board of Appeals with the Higher Patent Chamber.</p>