

Questionnaire on Exceptions and Limitations to Patent Rights

The answers to this questionnaire have been provided on behalf of:

Country: Georgia.....

Office: National Intellectual Property Center of Georgia Sakpatenti

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Section I: General

This section is intended to obtain general information on exceptions and limitations to patent rights that are provided under the applicable laws. For the purpose of this questionnaire, the term “applicable law” refers to relevant national and regional statutory law and, where applicable, case law.

The terms used in the questionnaire are drafted in a general way aiming at providing a broad understanding of each concept used, assuming that the exact wording of these exceptions and limitations might differ under the applicable laws. More detailed explanations of the various exceptions and limitations may be found in the following documents: SCP/13/3, SCP/15/3 and CDIP/5/4.

1. As background for the exceptions and limitations to patents investigated in this questionnaire, what is the legal standard used to determine whether an invention is patentable? If the standard for patentability includes provisions that vary according to the technology involved, please include examples of how the standard has been interpreted, if available. Please indicate the source of law (statutory and-or case law) by providing the relevant provisions and/or a brief summary of the relevant decisions.

According to the Art 12 par 1 of the patent law of Georgia An invention is patentable where it satisfies the criteria of patentability - novelty, inventive step and industrial applicability.

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Correspondingly, please list exclusions from patentability that exist in your law. Furthermore, please provide the source of those exclusions from patentability if different from the source of the standard of patentability, and provide any available case law or interpretive decisions specific to the exclusions.¹

Article 16 of the Patent Law of Georgia lists objects that cannot be regarded as an inventions

¹ This question does not imply that the topic of exclusions from patentability is dealt with in this question exhaustively.

1. The following shall not be regarded as an invention:
 - a) discovery, scientific theory, or mathematical method;
 - b) artistic creation;
 - c) algorithm, computer program;
 - d) educational or teaching method and system, language grammar system, methods for performance of mental acts, rules for games or gambling;
 - e) methods of business and organizational management;
 - f) plans and schemes of structures, buildings or territories;
 - g) presentation of information.
2. Objects under paragraph 1 of this Article shall not be considered patentable only where these are an immediate object of application.

Article 17 of the Patent Law of Georgia lists objects on which cannot be granted a patent

A patent is not granted for:

- a) inventions against public order;
- b) inventions related to surgical, therapeutic and diagnostic methods of treatment of humans and animals. This rule does not apply to devices and substances used in such methods;
- c) inventions related to plant varieties and breeds of animals, as well as primarily biological methods for plant and animal breed selection. This rule does not apply to micro-biological methods and products obtained through such methods;

.....

2. As background for the exceptions and limitations to patents investigated in this questionnaire, what exclusive rights are granted with a patent? Please provide the relevant provision in the statutory or case law. In addition, if publication of a patent application accords exclusive rights to the patent applicant, what are those rights?

Article 48 of the patent law of Georgia determines the scope of exclusive rights of the patent owner.

1. The patent owner uses invention at his/her discretion. The patent owner has the right to sell or dispose of the patent otherwise, issue private license on the use of patent in accordance with applicable rules or/and to lease the patent.
2. The patent vests its holder with the exclusive rights to prohibit others, without holder's permission, from:
 - a) production, sale, offer for sale, use, import or other market use of a product protected by patent;
 - b) use or offer for sale of a patented method;
 - c) sale, offer for sale, use, import or other market use of a product directly made by the use of a patented method.

According to the Art 51 of the patent law of Georgia „The applicant holds conditional entitlement to all rights accorded by the patent, from the day of publishing an application until he/she is granted a patent. In case a patent is not granted, these rights will not be considered established“.

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3. Which exceptions and limitations does the applicable law provide in respect to patent rights (please indicate the applicable exceptions/limitations):

X Private and/or non-commercial use;
Experimental use and/or scientific research;

Preparation of medicines;²
X Prior use;
X Use of articles on foreign vessels, aircrafts and land vehicles;
X Acts for obtaining regulatory approval from authorities;
X Exhaustion of patent rights;
Compulsory licensing and/ X or government use;
Exceptions and limitations related to farmers' and/or breeders' use of patented inventions.³

If the applicable law provides for any of the above-listed exceptions and limitations, please fill out those parts of Sections II to X that apply to you. If the applicable law does not contain all of the exceptions and limitations provided in Sections II to X, then you should respond only to the other parts of the questionnaire. If the applicable law includes other exceptions and limitations that are not listed above, please answer the questions under Section XI "Other Exceptions".

Where reference is made to case law, please indicate, if possible, the official source in which the case has been published (for example, the publication number, issue, title, URL, etc.).

Section II: Private and/or non-commercial use

4. If the exception is contained in statutory law, please provide the relevant provision(s):

According to the **article 52 par. b)** The following shall not be considered a violation of exclusive rights: private use of invention for personal ends, unless such action is not intended for commercial purposes.
.....
.....

² For example, extemporaneous preparation of prescribed medicines in pharmacies.

³ For example, in some countries where patent rights extend to propagated or multiplied material derived from patented biological material, certain uses by farmers of harvested plant material or of breeding livestock or other animal reproductive material under patent protection on his own farm do not constitute patent infringement. Similarly, in some countries, patent rights do not cover uses by breeders of patented biological material for the purpose of developing a new plant variety (see paragraphs 133 to 137 of document SCP/13/3).

5. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:
- N/A
6. (a) What are the public policy objectives for providing the exception?
- N/A
- (b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:
- N/A
7. If the applicable law defines the concepts “non-commercial”, “commercial” and/or “private”, please provide those definitions by citing legal provision(s) and/or decision(s):
- N/A
8. If there are any other criteria provided in the applicable law to be applied in determining the scope of the exception, please provide those criteria by citing legal provision(s) and/or decision(s):
- N/A
9. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:
- N/A
10. Which challenges, if any, have been encountered in relation to the practical implementation of the exception in your country? Please explain:
- N/A

Section III: Experimental use and/or scientific research ⁴

11. If the exception is contained in statutory law, please provide the relevant provision(s):

Georgian patent law does not consider an exception connected with experimental use and/or scientific research

12. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A.....

13. (a) What are the public policy objectives for providing the exception?

N/A.....

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A.....

14. Does the applicable law make a distinction concerning the nature of the organization conducting the experimentation or research (for example, whether the organization is commercial or a not-for-profit entity)? Please explain:

N/A.....

15. If the applicable law defines the concepts “experimental use” and/or “scientific research”, please provide those definitions by citing legal provision(s) and/or decision(s):

N/A.....

16. If the purpose of experimentation and/or research is relevant to the determination of the scope of the exception, please indicate what that purpose is:

Experimentation and/or research should aim to:

⁴ Exceptions and limitations on acts for obtaining regulatory approval are dealt with in Section VII of the questionnaire.

determine how the patented invention works
determine the scope of the patented invention
determine the validity of the claims
seek an improvement to the patented invention
invent around the patented invention
other, please specify:

17. If any of the following criteria is relevant to the determination of the scope of the exception, please indicate:

Research and/or experimentation must be conducted on or relating to the patented invention ("research on")
Research and/or experimentation must be conducted with or using the patented invention ("research with")
Both of the above

Please explain by citing legal provision(s) and/or decision(s):

N/A
.....
.....

18. If the commercial intention of the experimentation and/or research is relevant to the determination of the scope of the exception, please indicate whether the exception covers activities relating to:

A non-commercial purpose
A commercial purpose
Both of the above
The commercial intention of the experimentation and/or research is not relevant

19. If the applicable law makes a distinction between "commercial" and "non-commercial" purpose, please explain those terms by providing their definitions, and, if appropriate, examples. Please cite legal provision(s) and/or decision(s):

N/A
.....
.....

20. If the applicable law provides for other criteria to be applied in determining the scope of the exception, please describe those criteria. Please illustrate your answer by citing legal provision(s) and/or decision(s):

N/A
.....
.....

21. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A
.....
.....

22. Which challenges, if any, have been encountered in relation to the practical implementation of the exception in your country? Please explain:

N/A

Section IV: Preparation of medicines

23. If the exception is contained in statutory law, please provide the relevant provision(s):

Georgian patent law does not consider an exception connected with Preparation of medicines.

24. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A

25. (a) What are the public policy objectives for providing the exception? Please explain:

N/A

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A

26. Who is entitled to use the exception (for example, pharmacists, doctors, physicians, others)? Please describe:

N/A

27. Does the applicable law provide for any limitations on the amount of medicines that can be prepared under the exception?

Yes
No

If yes, please explain your answer by citing the relevant provision(s) and/or decision(s):

N/A

28. If the applicable law provides for other criteria to be applied in determining the scope of the exception, please describe those criteria. Please illustrate your answer by citing legal provision(s) and/or decision(s):

N/A

29. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A

30. Which challenges, if any, have been encountered in relation to the practical implementation of the exception in your country? Please explain:

N/A

Section V: Prior use

31. If the exception is contained in statutory law, please provide the relevant provision(s):

According to the art 53 of the Patent law of Georgia

1. Right of prior use is a right of a person to use the patent regardless of its effect, where such person has been using invention in good faith or conducted preparatory works for its use prior to the date of filing patent application in Sakpatenti or the priority establishment date.
2. The right of prior use entitles third persons to use invention exclusively for purposes and in volume corresponding to its purposes and volume of its past use or preparatory works, up to the date of filing or establishment of priority.
3. The right of prior use shall not be licensed privately.
4. It is permitted to transfer the right of prior use only together with an enterprise where actions referred to in par. 2 of this Article were undertaken.

32. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A

33. (a) What are the public policy objectives for providing the exception? Please explain:

N/A

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A

34. How does the applicable law define the scope of “use”? Does the applicable law provide for any quantitative or qualitative limitations on the application of the “use” by prior user? Please explain your answer by citing legal provision(s) and/or decision(s):

According to the Art 53 par 2 of the patent law of Georgia - The right of prior use entitles third persons to use invention exclusively for purposes and in volume corresponding to its purposes and volume of its past use or preparatory works, up to the date of filing or establishment of priority

35. Does the applicable law provide for a remuneration to be paid to the patentee for the exercise of the exception? Please explain:

No the Patent law of Georgia does not provide a possibility for a remuneration to be paid to the patentee for the exercise of the exception.....

36. According to the applicable law, can a prior user license or assign his prior user's right to a third party?

X Yes
No

37. In case of affirmative answer to question 36, does the applicable law establish conditions on such licensing or assignment for the continued application of the prior use exception?

X Yes
No

If yes, please explain what those conditions are:

According to the Art 53 par 3 of the Patent law of Georgia - The right of prior use shall not be licensed privately.

However, according to the Art 53 par 4 of the Patent law of Georgia - It is permitted to transfer the right of prior use only together with an enterprise where actions referred to in par. 2 of this Article (Art 53 par 2 - The right of prior use entitles third persons to use invention exclusively for purposes and in volume corresponding to its purposes and volume of its past use or preparatory works, up to the date of filing or establishment of priority.) were undertaken.

38. Does this exception apply in situations where a third party has been using the patented invention or has made serious preparations for such use after the invalidation or refusal of the patent, but before the restoration or grant of the patent?

X Yes
No

If yes, please explain the conditions under which such use can continue to apply:

According to the Art 55 of the Patent law of Georgia considers Right of further use Any person, who has utilized an invention protected by patent in good faith or conducted preparations for exploitation of such invention from the date of patent revocation on the territory of Georgia until its reinstatement has the right to continue its use for entrepreneurial purposes. Transfer of this right is permitted only together with the enterprise (right of further use).

39. If the applicable law provides for other criteria to be applied in determining the scope of the exception, please describe those criteria. Please illustrate your answer by citing legal provision(s) and/or decision(s):

N/A

40. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A

41. Which challenges, if any, have been encountered in relation to the practical implementation of the exception in your country? Please explain:

N/A

Section VI: Use of articles on foreign vessels, aircrafts and land vehicles

42. If the exception is contained in statutory law, please provide the relevant provision(s):

According to the Art 52 Sub. Par. C) of the Georgian patent law - The following shall not be considered a violation of exclusive rights: c) use of invention aboard of the foreign vessel, aircraft or land transport temporarily present on the territory of Georgia. In such cases, invention should be used exclusively aboard such transportation means and not for entrepreneurial purposes;

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43. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A

44. (a) What are the public policy objectives for providing the exception? Please explain:

N/A

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(b) Where possible, please explain with references to the legislative history,
parliamentary debates and judicial decisions:

N/A
.....
.....

45. The exception applies in relation to:

X Vessels
X Aircrafts
X Land Vehicles
Spacecraft

46. In determining the scope of the exception, does the applicable law apply such terms as "temporarily" and/or "accidentally" or any other equivalent term in relation to the entry of foreign transportation means into the national territory? Please provide the definitions of those terms by citing legal provision(s) and/or decision(s):

Yes. According to the Art 52 Sub. Par. c) use of invention aboard of the foreign vessel, aircraft or land transport temporarily present on the territory of Georgia. In such cases, invention should be used exclusively aboard such transportation means and not for entrepreneurial purposes;
The term temporarily is not defined by the law.

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47. Does the applicable law provide for any restrictions on the use of the patented product on the body of the foreign vessels, aircrafts, land vehicles and spacecraft for the exception to apply (for example, the devices to be used exclusively for the needs of the vessel, aircraft, land vehicle and/or spacecraft)? Please explain your answer by citing legal provision(s) and/or decision(s):

Yes. According to the Art 52 Sub. Par. c) use of invention aboard of the foreign vessel, aircraft or land transport temporarily present on the territory of Georgia. In such cases, invention should be used exclusively aboard such transportation means and not for entrepreneurial purposes;

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48. If the applicable law provides for other criteria to be applied in determining the scope of the exception, please describe those criteria. Please illustrate your answer by citing legal provision(s) and/or decision(s):

N/A
.....
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49. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A

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.....
50. Which challenges, if any, have been encountered in relation to the practical implementation of the exception in your country? Please explain:

N/A

Section VII: Acts for obtaining regulatory approval from authorities

51. If the exception is contained in statutory law, please provide the relevant provision(s):

Georgian Legislation provides limitations and exceptions in respect of patent rights in connection with Acts for obtaining regulatory approval from authorities. According to the Law of Georgia on Medicine and Pharmaceutical Activities for the registration of a medicine the Agency for State Regulation of Medical Activities conducts special studies and necessary tests.

By the Law of Georgia on Medicine and Pharmaceutical activities Art 4 Par. 3 - „Patent rights and copyright of the producer of pharmaceutical products are protected by Georgian legislation“.

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52. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A

53. (a) What are the public policy objectives for providing the exception? Please explain:

N/A

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A

54. Who is entitled to use the exception? Please explain:

N/A

55. The exception covers the regulatory approval of:

any products

certain products. Please describe which products: medical product

56. Please indicate which acts are allowed in relation to the patented invention under the exception?

Making

Using

Selling

Offering for sale

Import

Export

Other. Please specify: Conducting special tests on medical product, for getting consent from the competent authority for entry into Georgian market.

.....

57. If the applicable law provides for other criteria to be applied in determining the scope of the exception, please describe those criteria. Please illustrate your answer by citing legal provision(s) and/or decision(s):

N/A
.....
.....

58. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A
.....
.....

59. Which challenges, if any, have been encountered in relation to the practical implementation of the exception in your country? Please explain:

N/A
.....
.....

Section VIII: Exhaustion of patent rights

60. Please indicate what type of exhaustion doctrine is applicable in your country in relation to patents:

X National

Regional

International

Uncertain, please explain.....

If the exception is contained in statutory law, please provide the relevant provision(s):

According to the Art. 52 sub. par. A of the Georgia Patent Law The following shall not be considered a violation of exclusive rights:

a) further dissemination or other use of the product produced by the patent owner or under his/her permission and put on the market;

.....
.....

If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A
.....
.....

61. (a) What are the public policy objectives for adopting the exhaustion regime specified above? Please explain:

N/A
.....
.....

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A
.....
.....

62. Does the applicable law permit the patentee to introduce restrictions on importation or other distribution of the patented product by means of express notice on the product that can override the exhaustion doctrine adopted in the country?

Yes
☒ No
Uncertain

Please explain your answer by citing legal provision(s) and/or decision(s):

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.....

63. Has the applicable exhaustion regime been considered adequate to meet the public policy objectives in your country? Please explain:

N/A
.....
.....

64. Which challenges, if any, have been encountered in relation to the practical implementation of the applicable exhaustion regime in your country? Please explain:

N/A
.....
.....

Section IX: Compulsory licenses and/or government use

Compulsory licenses

65. If the exception is contained in statutory law, please provide the relevant provision(s):

The Patent Law of Georgia does not consider the possibility of granting compulsory licenses... ..
.....
.....

66. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A
.....
.....

67. What grounds for the grant of a compulsory license does the applicable law provide in respect to patents (please indicate the applicable grounds):

Non-working or insufficient working of the patented invention
Refusal to grant licenses on reasonable terms
Anti-competitive practices and/or unfair competition
Public health
National security
National emergency and/or extreme urgency
Dependent patents
Other, please specify:

68. (a) What are the public policy objectives for providing compulsory licenses in your country? Please explain:

N/A
.....
.....

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A
.....
.....

69. If the applicable law provides for the grant of compulsory licenses on the ground of “non-working” or “insufficient working”, please provide the definitions of those terms by citing legal provision(s) and/or decision(s):

N/A
.....
.....

70. Does the importation of a patented product or a product manufactured by a patented process constitute “working” of the patent? Please explain your answer by citing legal provision(s) and/or decision(s):

N/A

.....

.....

71. In case of the grant of compulsory licenses on the grounds of non-working or insufficient working, does the applicable law provide for a certain time period to be respected before a compulsory license can be requested?

Yes
No

If yes, what is the time period?

72. In case of the grant of compulsory licenses on the grounds of non-working or insufficient working, does the applicable law provide that a compulsory license shall be refused if the patentee justifies his inaction by legitimate reasons?

Yes
No

If yes, what are "legitimate reasons"?

73. If the applicable law provides for the grant of compulsory licenses on the ground of refusal by the patentee to grant licenses on "reasonable terms and conditions" and within a "reasonable period of time", please provide the definitions given to those terms by citing legal provision(s) and/or decision(s):

N/A

.....

.....

74. If the applicable law provides for the grant of compulsory licenses on the ground of anti-competitive practices, please indicate which anti-competitive practices relating to patents may lead to the grant of compulsory licenses by citing legal provision(s) and/or decision(s):

N/A

.....

.....

75. If the applicable law provides for the grant of compulsory licenses on the ground of dependent patents, please indicate the conditions that dependent patents must meet for a compulsory license to be granted:

N/A

.....

.....

76. Does the applicable law provide a general policy to be followed in relation to the remuneration to be paid by the beneficiary of the compulsory license to the patentee? Please explain:

N/A

.....

.....

77. If the applicable law provides for the grant of compulsory licenses on the ground of “national emergency” or “circumstances of extreme urgency”, please explain how the applicable law defines those two concepts and their scope of application, and provide examples:

N/A

78. Please indicate how many times and in which technological areas compulsory licenses have been issued in your country:

N/A

79. Is the applicable legal framework for the issuance of compulsory licenses considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A

80. Which challenges, if any, have been encountered in relation to the use of the compulsory licensing system provisions in your country? Please explain:

N/A

Government use

81. If the exception is contained in statutory law, please provide the relevant provision(s):

According to the Art 52 sub. par. D) of the Patent Law of Georgia - The following shall not be considered a violation of exclusive rights: d) use of invention in cases of natural disaster, catastrophe, epidemic or other emergency situations.

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82. If the exception is provided through case law, please cite the relevant decision(s) and provide its(their) brief summary:

N/A

83. What grounds for the grant of government use does the applicable law provide in respect to patents (please indicate the applicable grounds):

Non-working or insufficient working of the patented invention
Refusal to grant licenses on reasonable terms
Anti-competitive practices and/or unfair competition

Public health
National security
☒ National emergency and/or extreme urgency
Dependent patents
Other, please specify:

84. (a) What are the public policy objectives for providing government use in your country?

N/A
.....
.....

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A
.....
.....

85. If the applicable law provides for the grant of government use on the ground of “national emergency” or “circumstances of extreme urgency”, please explain how the applicable law defines those two concepts and their scope of application, and provide examples:

Georgian patent law does not define abovementioned concepts.
.....
.....

86. Please indicate how many times and in which technological areas government use has been issued in your country:

N/A
.....
.....

87. Is the applicable legal framework for the issuance of government use considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A
.....
.....

88. Which challenges, if any, have been encountered in relation to the use of the government use mechanism in your country? Please explain:

N/A
.....
.....

Section X: Exceptions and limitations related to farmers' and/or breeders' use of patented inventions

Farmers' use of patented inventions

89. If the exception is contained in statutory law, please provide the relevant provision(s):

Georgian legislation does not consider limitations and exceptions related to farmers' and/or breeders' use of patented inventions.
.....
.....

90. If the exception is provided through case law, please cite the relevant decision(s) and provide a brief summary of such decision(s):

N/A
.....
.....

91. (a) What are the public policy objectives for providing the exception related to farmers' use of patented inventions? Please explain:

N/A
.....
.....

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A
.....
.....

92. Please explain the scope of the exception by citing legal provision(s) and/or decision(s) (for example, interpretation(s) of statutory provision(s) on activities allowed by users of the exception, limitations on their use, as well as other criteria, if any, applied in the determination of the scope of the exception):

N/A
.....
.....

93. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A
.....
.....

94. Which challenges, if any, have been encountered in relation to the practical implementation of the exception related to farmers' use of patented inventions in your country? Please explain:

N/A
.....
.....

Breeders' use of patented inventions

95. If the exception is contained in statutory law, please provide the relevant provision(s):

Georgian patent law does not consider the possibility of granting patents on new varieties of plants.

In Georgia relations in connection with breeders' rights are regulated by the Law on protection of Animal Breedings and Plant Varieties. Therefore Georgian Patent Law does not consider limitations and exceptions in connection with breeders' use of patented inventions.....

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96. If the exception is provided through case law, please cite the relevant decision(s) and provide a brief summary of such decision(s):

N/A.....
.....

97. (a) What are the public policy objectives for providing the exception related to breeders' use of patented inventions? Please explain:

N/A.....
.....
.....

(b) Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A.....
.....
.....

98. Please explain the scope of the exception by citing legal provision(s) and/or decision(s) (for example, interpretation(s) of statutory provision(s) on activities allowed by users of the exception, limitations on their use, as well as other criteria, if any, applied in the determination of the scope of the exception):

N/A.....
.....
.....

99. Is the applicable legal framework of the exception considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen)? Please explain:

N/A.....
.....
.....

100. Which challenges, if any, have been encountered in relation to the practical implementation of the exception related to breeders' use of patented inventions in your country? Please explain:

N/A.....
.....
.....

Section XI: Other Exceptions and Limitations

101. Please list any other exceptions and limitations that your applicable patent law provides:

N/A
.....
.....

102. In relation to each exception and limitation, please indicate:

(i) the source of law (statutory law and/or the case law) by providing the relevant provision(s) and/or a brief summary of the relevant decision(s):

N/A
.....
.....

(ii) the public policy objectives of each exception and limitation. Where possible, please explain with references to the legislative history, parliamentary debates and judicial decisions:

N/A
.....
.....

(iii) the entitlement and the scope of the exception and limitation by citing legal provision(s) and/or decision(s):

N/A
.....
.....

In addition, in relation to each exception and limitation, please explain:

(i) whether its applicable legal framework is considered adequate to meet the objectives sought (for example, are there any amendments to the law foreseen?):

N/A
.....
.....

(ii) if there have been any challenges encountered in the practical implementation of the exception in your country:

N/A
.....
.....

103. If other mechanisms for the limitation of patent rights external to the patent system exist in your country (for example, competition law), please list and explain such mechanisms:

Georgia does not have a competition law.
.....
.....

[End of Questionnaire]