

CERTAIN ASPECTS OF NATIONAL/REGIONAL PATENT LAWS\*

EAPO (Eurasian Patent Organisation)

<b>Prior Art</b>	<ol style="list-style-type: none"> <li>1. Anything made available to the public before the filing date (priority date).</li> <li>2. Contents of Eurasian patent applications and international applications entered into the regional phase with an earlier filing date (priority date) published on or after that date.</li> </ol>
<b>Novelty</b>	<p>The invention is not anticipated by prior art. The prior art consists of anything made available to the public before the filing date (priority date), and the contents of Eurasian patent applications and international applications entered into the regional phase with an earlier filing date (priority date) published on or after that date.</p>
<b>Exclusions from Patentable Subject Matter</b>	<ol style="list-style-type: none"> <li>1. Discoveries, scientific theories and mathematical methods.</li> <li>2. Presentation of information.</li> <li>3. Methods of economic organization and management.</li> <li>4. Symbols, schedules and rules.</li> <li>5. Methods for performing mental acts.</li> <li>6. Algorithms and computer programs.</li> <li>7. Topographies of integrated circuits.</li> <li>8. Projects and plans for structures, buildings and land development.</li> <li>9. Aesthetic creations.</li> <li>10. Plant and animal varieties.</li> <li>11. Inventions, the prevention of the commercial exploitation of which is necessary to protect <i>ordre public</i> or morality, including to protect human, animal or plant life or health, or to avoid serious prejudice to the environment.</li> </ol>
<b>Exceptions and Limitations of the Rights</b>	<ol style="list-style-type: none"> <li>1. Certain uses in relation to means of transportation that temporarily or accidentally enter the territory of a Contracting State.</li> <li>2. Use for scientific research and experimental purposes.</li> <li>3. Preparation of prescribed medicines in pharmacies.</li> <li>4. Private use for non-profit making purposes.</li> <li>5. Use of products put on to the market in of a Contracting State by, or with consent, of the patent owner.</li> <li>6. Continued prior use by a person who in good faith, before the filing date (priority date), had used the invention on the territory of a Contracting State, or made necessary preparations for that purpose.</li> <li>7. Continued use by a person who in good faith has used or made necessary preparations for using an invention which is the subject of a published Eurasian patent application or Eurasian patent in the course of the period between the loss of rights to that application or patent and the publication of the mention of re-establishment of those rights. The right of subsequent use is applied only on the territory of a Contracting State where the subsequent use has taken place and the legislation of which provides for such a right.</li> <li>8. Compulsory licenses.</li> </ol>