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**STATE INTELLECTUAL
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28.03.2012 № 4-16/2170
на № _____

Mr. Francis Gurry
Director General
World Intellectual Property Organization
34, chemin des Colombettes
1211 Geneva 20
Switzerland
Fax: (4122) 338 88 30

March 28, 2012

Dear Mr. Gurry,

Referring to the note C. 8074 of December 22, 2011, concerning the document SCP/17/2 the State Intellectual Property Service of Ukraine has learned the said document and would like to provide with the following comments:

- Paragraph 2 of the Section "Grace Period" should be presented according to the Part 6, Article 7, of the Law of Ukraine "On Protection of Rights to Inventions and Utility Models": *"The burden of proof is on the person interested in applying the provisions of paragraph 1"*;
- Paragraph 7 of the Section "Exceptions and Limitations of the Rights" should be presented according to the Part 4, Article 31, of the Law of Ukraine "On Protection of Rights to Inventions and Utility Models": *"Use under certain conditions of product acquired by any person that could not know that product was manufactured or put on the market with violation of owner's rights"*;
- Paragraph 2 of the Section "Prior Art", paragraphs of the Section "Novelty", and Paragraph 6 of the Section "Exception and Limitations of the Rights" should remain in their current version presented in the WIPO document.

Let me express my sincere gratitude for your involvement in the development of national as well as the world accessible and balanced intellectual property protection system.

Sincerely yours,

**Mykola Paladii
Chairman**

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