



МИНИСТЕРСТВО
ЭКОНОМИЧЕСКОГО РАЗВИТИЯ
РОССИЙСКОЙ ФЕДЕРАЦИИ
ФЕДЕРАЛЬНАЯ СЛУЖБА
ПО ИНТЕЛЛЕКТУАЛЬНОЙ
СОБСТВЕННОСТИ
(РОСПАТЕНТ)

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28.09.2017 № 10-1-2-484

На № _____ от _____

World Intellectual Property
Organization
Geneva
E-mail: sct.forum@wipo.int

Dear Sirs,

Please, find attached the comments relating to the Circular 8687 on the twenty sixth session of the Standing Committee on the Law of Patents.

Yours sincerely,

Director of International
Cooperation Department

Pavel Spitsyn

Zalina Tettsoeva
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(a) As for the exception regarding acts for obtaining regulatory approval from authorities, we have no further inputs to the information set out in the documents of twenty sixth session of SPC which were prepared in 2014. Since that time no legislative changes have occurred.

(b) The producers of pharmaceuticals in our country face certain constrains, and this problem is considered at different levels by such state authorities as Federal Anti-Monopoly Service, the Ministry of Health of the Russian Federation. Rospatent also contributes to the search for solutions. The results of discussions relating to this problem haven not yet been reflected in our legislation.

YMC69-401
21.08.2017



C. 8687

August 21, 2017

Madam,
Sir,

Pursuant to the decision of the *Standing Committee on the Law of Patents* (SCP), at its twenty-sixth session which was held in Geneva from July 3 to 6, 2017 (document SCP/26/7, paragraph 19, under "Exceptions and limitations to Patent Rights", and first bullet point under "Patents and Health"), Member States and Regional Patent Offices are kindly invited to send to the International Bureau of the World Intellectual Property Organization (WIPO) the following information:

- (a) any additional inputs for the preparation of the draft reference document on the exception regarding acts for obtaining regulatory approval from authorities. Specifically, the inputs may relate to: (i) the description of the exception; (ii) its objectives and goals; (iii) national/regional implementation; (iv) challenges faced by Member States in its implementation; and (v) results of its implementation; and
- (b) inputs with respect to the constraints faced by developing countries and least developed countries (LDCs) in making full use of patent flexibilities and their impacts on the access to affordable especially essential medicines for public health purposes in those countries.

In addition, Member States and Regional Patent Offices are invited to send updated information concerning their applicable laws on the following subjects to enable the Secretariat to carry out the future work agreed upon by the Committee (document SCP/26/7, paragraph 6 and paragraph 19, second bullet point, under "Quality of Patents, including Opposition Systems"):

- (a) certain aspects of the applicable national or regional patent law, available at: http://www.wipo.int/scp/en/annex_ii.html; and

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