

EURASIAN PATENT OFFICE (EAPO)

AS DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

EAPC: Eurasian Patent Convention of 9 September 1994¹

EAPR: Patent Regulations under the Eurasian Patent Convention¹

EASF: Statute on Fees of the Eurasian Patent Organization¹

¹ The texts may be obtained on the Internet at www.eapo.org/eng/documents.

SUMMARY**Designated
(or elected) Office****SUMMARY****EA****EURASIAN PATENT OFFICE (EAPO)****EA****Summary of requirements for entry into the national phase**

Time limits applicable for entry into the national phase:	Under PCT Article 22(3): 31 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into: ¹	Russian
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Russian rouble (RUR) Unitary procedural fee (for filing, search, publication and other processing): ² RUR 25,500 ³ Claim fee for each claim in excess of five: ¹ RUR 2,200 ³ Examination fee: RUR 25,500 ³ Maintenance fees: ⁴
Exemptions, reductions or refunds of the national fee:	The unitary procedural fee is reduced by 25% where an international search report has been established

[Continued on next page]

¹ Must be furnished or paid within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1) or within two months from the date on which the applicant files a special request for early entry into the national phase.

² Must be paid within the time limit applicable under PCT Article 22 or 39(1).

³ This fee is reduced by 90% where the applicant or, if there are two or more applicants, each applicant is a national and resident of any of the States party to the Eurasian Patent Convention, and by 80% where each applicant is a national and resident of any other PCT Contracting State mentioned in footnote 16(a) and (b) relating to the international filing fee to Annex C(IB) of the International Phase. The reductions are not applicable to legal entities whose ownership capital contains direct or indirect investments from persons who are nationals or residents of States other than those mentioned above.

⁴ The amounts of the fees for maintenance of a Eurasian patent with respect to each State party to the Eurasian Patent Convention are as fixed by each State. These fees are payable to the Office for each State in which the patent owner wishes the effect of the patent to continue, in each of the years following the grant by the anniversary of the international filing date.

SUMMARY**Designated
(or elected) Office****SUMMARY****EA****EURASIAN PATENT OFFICE (EAPO)****EA***[Continued]*

Special requirements of the Office
(PCT Rule 51*bis*):⁵

Name and address of the inventor if they have not been furnished in the "Request" part of the international application⁶

Appointment of an agent if the applicant has neither a residence nor his principal place of business within the territory of one of the States party to the Eurasian Patent Convention

Instrument of assignment of the priority right where the applicants are not identical⁶

Translation of the amendments to the international application to be filed in triplicate (this applies in particular to the amendments annexed to the international preliminary examination report if the applicant wishes them to be taken into consideration for the proceedings before the Office)

Who can act as agent?

Any legal practitioner⁷ qualified to practice in patent matters in one of the States party to the Eurasian Patent Convention and inscribed in the register of patent attorneys kept in the Office.

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?

Yes, the Office applies the "unintentional" criterion to such requests

⁵ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

⁶ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

⁷ The list of registered patent attorneys may be obtained on the Internet at: www.eapo.org/eng/information/attorneys.php3

THE PROCEDURE IN THE NATIONAL PHASE

- EA.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The EAPO has available a special form for entering the national (regional) phase (see Annex EA.II) which can also be obtained on the Internet at www.eapo.org/rus/documents/interzayavka.html. This form should preferably (but need not) be used.
- EA.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see paragraphs 57 and 58 of the General Part of this Volume).
- EAPR Rule 21(6)
71(3) EA.03 **LATE FURNISHING OF THE TRANSLATION.** If the translation of the international application has not been furnished within the 31-month time limit applicable under PCT Article 22(3) or 39(1)(b), it may still be furnished within a period of grace of two months from the expiration of the applicable time limit. The applicant shall have the right, within two months following the date of expiration of the initial two-month period, to furnish the translation, provided that an additional fee is paid.
- EAPC Art. 15(12)
EAPR Rule 30 EA.04 **APPOINTMENT OF AN AGENT AND POWER OF ATTORNEY.** Natural and legal persons having their residence or their principal place of business within the territory of one of the EAPC Contracting States may act on their own behalf or through representatives, who need not be patent agents, in proceedings before the EAPO. Natural and legal persons having neither a residence nor their principal place of business within the territory of any of the EAPC Contracting States must be represented by an agent entitled to practice before the EAPO (see the Summary, "Who can act as agent?"). The list of registered patent agents is available upon request from the EAPO or can be obtained on the Internet at www.eapo.org/eng/information/attorneys.php3. A model of a power of attorney is given in Annex EA.III. In case of failure to appoint an agent within two months from the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b), if required, the applicant will be invited by the EAPO to do so within four months following the date of expiration of the initial two-month period, provided that an additional fee is paid.
- EAPC Art. 18
EAPR Rule 40(1) EA.05 **FEES (MANNER OF PAYMENT).** The manner of payment of fees indicated in the Summary and in this Chapter is outlined in Annex EA.I.
- EAPR Rule 71(3)
EASF Rule 2(1)(iv) EA.06 **LATE PAYMENT OF (NATIONAL) FEES.** If the unitary procedural fee indicated in the Summary has not been paid within the time limit applicable under PCT Article 22(3) or 39(1)(b), payment can still be made together with a 20% surcharge for late payment within a period of grace of two months from the expiration of the applicable time limit.
- EAPR Rule 24(7) EA.07 **CLAIM FEE.** The claim fee must be calculated on the basis of the number of claims existing on entry into the national phase (that is, where amendments have been filed, the claims as amended under PCT Article 19 or 34(2) or the claims as submitted by the applicant under PCT Article 28 or 41 upon entering the national phase), unless the applicant has used the opportunity to amend the claims according to EAPR Rule 49(2) or 71(5) (see paragraph EA.11), the claims thus amended being then used as the basis for calculation of the claim fee and for further proceedings. Where the applicant fails to pay the correct amount of the claim fee, the EAPO will invite him to pay the missing amount within a period fixed in the invitation.
- EAPC Art. 15(5)
EAPR Rule 46 EA.08 **REQUEST FOR EXAMINATION.** The Eurasian patent is granted only after substantive examination, which starts only at the request of the applicant. There is no special form for requesting examination but the request must be made in writing. The request may be made by using the form referred to in paragraph EA.01 (see Annex EA.II). The request for examination is considered to have been filed only after the examination fee has been paid.

- EAPC Art. 15(5)
EAPR Rule 46(1) EA.09 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within six months from publication by the International Bureau of the international search report or before the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b) (31 months), whichever time limit expires later. The request for examination may still be validly filed within a period of grace of two months from the expiration of the applicable time limit, provided that there are valid reasons for the non-compliance with the time limit and that an additional fee is paid.
- EAPR Rule 23(8) EA.10 **NUCLEOTIDE AND AMINO ACID SEQUENCES.** If, at the expiry of the 31-month time limit applicable under PCT Articles 22(3) and 39(1)(b), a sequence listing does not comply with the Standard contained in Annex C of the Administrative Instructions under the PCT, or has not been filed on the prescribed electronic data carrier (disc), the applicant will be invited to file a sequence listing complying with the prescribed standard or on the prescribed data carrier.
- EAPR Rules 49(2)
71(5) EA.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant has the right to amend or correct any element of his application on his own initiative at any time before the completion of technical preparations for publication of the Eurasian patent, provided that the amendments or corrections do not go beyond the subject matter of the claimed invention as filed and that the prescribed fee for amendment is paid. If the amendments or corrections are made within the two-month period from the expiration of the time limit under PCT Article 22(3) or 39(1)(b), there is no need to pay the prescribed fee for amendment.
- EAPC Art. 15(10)
EAPR Rule 51(1) EA.12 **FEE FOR GRANT.** A fee for grant must be paid within four months from the date of transmittal to the applicant of the notice from the EAPO that it is ready to grant the Eurasian patent. If the fee is not paid within the said time limit, granting and publication of the Eurasian patent will not take place and the corresponding Eurasian application will be considered withdrawn.
- EAPC Art. 13(3) EA.13 **TRANSLATION OF EURASIAN PATENT.** No translation of the Eurasian patent into the languages of the EAPC Contracting States is required after the grant of the Eurasian patent. A translation should be furnished only by the plaintiff to a national court or other competent national authority upon the latter's request in connection with a litigation procedure in a given EAPC Contracting State. Any decision of a court or other national authority in respect of the Eurasian patent has effect only in the territory of that Contracting State.
- EAPC Art. 17(3) EA.14 **EFFECT OF EURASIAN PATENT.** Upon grant, the Eurasian patent has effect in the territory of all EAPC Contracting States from the date of its publication by the EAPO. Its effect may, however, be discontinued at any time in any State through non-payment of the corresponding national annual fee.
- EA.15 **MAINTENANCE OF EURASIAN PATENT.** The owner of a Eurasian patent must designate, by name, each EAPC Contracting State in which he wishes the effect of the Eurasian patent to be maintained. The designation concerned must be addressed to the EAPO and must be made at the same time as the corresponding annual fee is paid (see next paragraph).
- EAPC Art. 17
18(3)
EAPR Rule 40(7)
EASF Rule 10 EA.16 **ANNUAL FEES.** The maintenance of a Eurasian patent is subject to the payment of annual fees. Such fees must be paid to the EAPO in respect of each EAPC Contracting State in which the applicant wishes to maintain protection. The fees are payable every year, following the grant of the Eurasian patent, on the anniversary of the international filing date. Payment can still be made together with a 50% surcharge for late payment within a period of grace of six months computed from the said anniversary.
- PCT Art. 25
PCT Rule 51 EA.17 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 63 to 66 of the General Part of this Volume. If, upon review under PCT Article 25, the EAPO denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the EAPO.

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| PCT Art. 24(2)
48(2)
PCT Rule 82 <i>bis</i>
EAPR Rule 39
EASF Rule 8(2) | EA.18 | EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 67 to 71 of the General Part of this Volume. Reestablishment of rights may be requested where the applicant lost his rights because, in spite of all due care required by the circumstances having been taken, he was unable to observe a time limit during the international phase or before the EAPO, causing a loss of rights. A request for reestablishment must be filed in writing within two months from the removal of the cause of non-compliance with the time limit but not later than one year from the expiration of the time limit which has not been observed. Within the said time limits, the omitted act must be completed, the fee for reestablishment of rights must be paid and the request must state the grounds on which it is based and must set out the facts on which it relies. However, reestablishment of rights is not applicable to the time limit for claiming of priority and for filing priority documents, for payment of the additional fee for a six-month period of grace, for the payment of the annual fee for maintenance of the Eurasian patent as well as for filing a notice of opposition filed with the EAPO. |
| EAPC Art. 16
EAPR Rule 60
EASF Rule 4(2) | EA.19 | CONVERSION OF EURASIAN APPLICATION: TIME LIMIT. If the applicant receives a notice of refusal to grant a Eurasian patent or a notice of refusal to allow an appeal against the decision of refusal, he has the right to file a request with the EAPO designating those EAPC Contracting States in which he wishes to obtain national patents according to the applicable national procedures. There is no special form for such request. The request must be filed before the expiration of six months from the date on which the applicant receives notification of the refusal to grant a Eurasian patent or of the refusal to allow the appeal. |
| EAPC Art. 16(2) | EA.20 | The Eurasian patent application in respect of which the conversion has been made will be treated in each EAPC Contracting State in which national protection is sought as a regular national application filed with its national patent Office and having the filing date and the priority date, if any, of the Eurasian application. The application will be further processed by the national patent Offices concerned, provided that the applicant pays any prescribed national fees to the said patent Offices. |

FEES¹**(Currency: Russian rouble)**

National fee for an international application, comprising:	
(i) unitary procedural fee (for filing, search, publication and other processing) for one invention	25,500
(ii) claim fee for each claim in excess of five	2,200
Examination fee:	
— for one invention	25,500
— for a group of inventions	44,500
Fee for grant of a Eurasian patent	16,000
Fee for lodging an appeal	17,500
Maintenance fees	amount equal to the sum of the fees payable for maintaining the Eurasian patent for the EAPC Contracting States concerned ²
Fee for conversion of a Eurasian application into a national patent application	6,400
Fee for restoration of the right of priority	16,000

How can payment of fees be effected?

1. Payments should be effected in Russian Roubles. They may also be made in US dollars or euro for the equivalent amounts according to the official exchange rate set by the Central Bank of the Russian Federation on the date of payment.
2. All fees, including maintenance fees, are payable to the Eurasian Patent Organization.
3. All payments must indicate the complete application number (regional, if already known; international, if the regional number is not yet known), the name of the applicant and the type of fee being paid.
4. Fees may be paid (mentioning the Eurasian Patent Organization as beneficiary) to the following accounts:
 - (a) For payments in US dollars or euro:
Account No. in USD: 616052 USD 4010 02
Account No. in EUR: 616052 EUR 4010 02
at UNICREDIT BANK, MOSCOW, SWIFT – IMBKRUUM
Address: 9 Prechistenskaya Emb., Moscow, 119034, Russian Federation.
 - (b) For payments in Russian roubles:
Beneficiary: The Eurasian Patent Organization INN 9909057949, KPP 773863001
Bank code: ZAO UniCredit Bank Moscow
Beneficiary account: 40807810400010493672
Correspondent bank account: 30101810300000000545
BIC number: 044525545

¹ Fees are subject to periodical changes. For the currently applicable amounts of fees, reference should be made to the Statute on Fees of the Eurasian Patent Organization. Fees are reduced by 90% where the applicant or, if there are two or more applicants, each applicant is a national and resident of any of the States party to the Eurasian Patent Convention, and by 80% where each applicant is a national and resident of any of the States whose per capita income is less than 3,000 US dollars (according to the average per capita national income figures used by the United Nations). The reduction is not applicable to legal entities whose ownership capital contains direct or indirect investments from persons who are nationals or residents of States other than those mentioned above.

² Provisional reduced tariffs according to Rule 40(4) EAPR are not applicable.



Перевод международной заявки на региональную стадию рассмотрения в Евразийском патентном ведомстве, действующем в качестве указанного или выбранного ведомства

В Евразийское патентное ведомство

**Россия, 109012, Москва,
Малый Черкасский пер., 2/6**

1	<input type="checkbox"/>	Является оригиналом ранее поданной формы, направленной по факсимильной связи	Дата направления
2	Заполняется Евразийским патентным ведомством (ЕАПВ)		
	Входящий номер ЕАПВ	Номер евразийской заявки	Дата поступления заявки в ЕАПВ
		Номер дела заявителя или его представителя	
3	Номер международной заявки	PCT/	Дата международной подачи
	Номер публикации международной заявки	WO	Дата публикации международной заявки
4	Название изобретения:		
5	Заявитель		
	Фамилия, имя, отчество (если оно используется) или наименование заявителя		Код страны местожительства или местонахождения по стандарту ВОИС ST.3
	Адрес:		Номер телефона
			Номер факса
	Регистрационный номер заявителя в ЕАПВ		
6	Другие заявители <input type="checkbox"/> Заявители, не указанные на этом листе, указаны на дополнительном листе заявления		
	Фамилия, имя, отчество (если оно используется) или наименование заявителя		Код страны местожительства или местонахождения по стандарту ВОИС ST.3
	Адрес:		Номер телефона
			Номер факса
	Регистрационный номер заявителя в ЕАПВ		
	Фамилия, имя, отчество (если оно используется) или наименование заявителя		Код страны местожительства или местонахождения по стандарту ВОИС ST.3
	Адрес:		Номер телефона
			Номер факса
	Регистрационный номер заявителя в ЕАПВ		
7	Ходатайствующ(ем):		
	<input type="checkbox"/> о более раннем начале рассмотрения международной заявки в ЕАПВ в соответствии с правилом 71(2) Патентной инструкции к ЕАПК		
	<input type="checkbox"/> с даты получения прилагаемой к этой форме документов либо <input type="checkbox"/> с (указать дату)		
	<input type="checkbox"/> о проведении экспертизы евразийской заявки по существу (ст. 15(5) Конвенции)		
8	Представитель(и) заявителя		Является(ются):
	Указанное(ые) ниже лицо(а) назначено (назначены) заявителем (заявителями) действовать от его (их) имени в ЕАПВ.		<input type="checkbox"/> Патентным(и) поверенным(и) <input type="checkbox"/> Общим представителем
	Фамилия, имя, отчество (если оно используется)		Номер телефона
	Адрес:		Номер факса
			Регистрационный(е) номер(а) патентного(ых) поверенного(ых) в ЕАПВ
			, , , , ,
9	Адрес для переписки (Полный почтовый адрес) <input type="checkbox"/> Прошу (просим) переписку вести по адресу представителя заявителя		Номер телефона
	Фамилия, имя, отчество (если оно используется) или наименование адресата		Номер факса

Изобретатель(и)	<input type="checkbox"/> Изобретатели, не указанные на этом листе, указаны на дополнительном листе к этой форме	10
Фамилия, имя, отчество (если оно используется)	Код страны местожительства по стандарту ВОИС ST. 3	
Я (мы) прошу (просим) не указывать меня (нас) как изобретателя(ей) при публикации сведений о евразийской заявке, о выдаче евразийского патента на изобретение.		
Подпись(и) изобретателя(ей)		
Прошу (просим) начать рассмотрение международной заявки в ЕАПВ на основе:		
описания изобретения: <input type="checkbox"/> первоначально поданного; <input type="checkbox"/> измененного в соответствии со статьей 34(2)(b) Договора о патентной кооперации (РСТ)		
формулы изобретения: <input type="checkbox"/> первоначально поданной; <input type="checkbox"/> измененной в соответствии со статьей 19 РСТ; <input type="checkbox"/> измененной в соответствии со статьей 34(2)(b) РСТ		
чертежей: <input type="checkbox"/> первоначально поданных; <input type="checkbox"/> измененных в соответствии со статьей 34(2)(b) РСТ		
<input type="checkbox"/> изменений, сделанных при переводе международной заявки на региональную стадию; <input type="checkbox"/> описания изобретения; <input type="checkbox"/> формулы изобретения; <input type="checkbox"/> чертежей		
Прошу (просим) опубликовать перевод международной заявки на русский язык, содержащий:		
формулу изобретения: <input type="checkbox"/> первоначально поданную; <input type="checkbox"/> измененную в соответствии со статьей 19 РСТ;		
Перечень прилагаемых документов:		
Наименование документа (нужное отметить)	Кол-во листов в одном экземпляре	Кол-во экземпляров
Описание изобретения на русском языке: <input type="checkbox"/> первоначально поданное; <input type="checkbox"/> измененное в соответствии со статьей 34(2)(b) РСТ		
Формула изобретения на русском языке: <input type="checkbox"/> первоначально поданная; <input type="checkbox"/> измененная в соответствии со статьей 19 РСТ; <input type="checkbox"/> измененная в соответствии со статьей 34(2)(b) РСТ		
Чертеж(и) и иные материалы с надписями на русском языке: <input type="checkbox"/> первоначально поданные; <input type="checkbox"/> измененные в соответствии со статьей 34(2)(b) РСТ		
Изменения на русском языке, сделанные при переводе международной заявки на региональную стадию: <input type="checkbox"/> описания изобретения; <input type="checkbox"/> формулы изобретения; <input type="checkbox"/> чертежей		
Реферат на русском языке		
Заверенная в получающем ведомстве копия международной заявки		
Списки последовательностей нуклеотидов и/или аминокислот		
Перевод на русский язык документа о депонировании микроорганизма		
Перевод на русский язык деклараций, предусмотренных правилом 51bis.1 Инструкции к РСТ (указать)		
Документ(ы), относящийся(еся) к передаче права на евразийскую заявку (указать)		
Документ, подтверждающий наличие оснований для уменьшения размера пошлины		
Доверенность, удостоверяющая полномочия представителя		
Лист расчета пошлин:		
Документ(ы) об уплате пошлин: <input type="checkbox"/> единой процедурной пошлины <input type="checkbox"/> за каждый пункт формулы изобретения свыше пятого <input type="checkbox"/> за проведение экспертизы		
Иные документы (указать)		
<input type="checkbox"/> Сопровождается копией на машиночитаемом носителе	14	Штамп ЕАПВ и дата поступления заявления
<input type="checkbox"/> Копия документов заявки на русском языке на машиночитаемом носителе является точной копией текста в печатном виде	15	16
Подпись(и) и дата		
(Подпись(и) заявителя(ей) или его (их) представителя(ей) с расшифровкой)		Подпись лица, принявшего заявление

ДОВЕРЕННОСТЬ POWER OF ATTORNEY

Я/Мы, нижеподписавшийся(ся)

I/ We the undersigned

настоящим уполномочиваю(ем)

hereby authorise

вести дела от моего/нашего имени, касающиеся

in the matters with regard to

и представляемого в соответствующем случае охранного документа, в качестве патентного (ых) поверенного(ых) перед Евразийским Патентным Ведомством.

Вышеупомянутый(тые) патентный(е) поверенный(е), в частности, уполномочивается(ются) вести любые юридические операции и дела, касающиеся вышеуказанной заявки и охранного документа, предоставляемого на ее основе, в особенности подписывать всякого рода заявления и ходатайства, чертежи, описания и т.п.; представлять образцы и всякого рода документы и получать их обратно; уплачивать пошлины; получать справки о приеме к рассмотрению заявок, решения, патенты и прочие охранные документы; вносить в описания и чертежи необходимые исправления и изменения; отзываться заявки полностью или частично; подавать возражения; ходатайствовать о продлении сроков, проводить все необходимые действия для сохранения полученных охранных документов в силе в течение всего срока их действия и т.д.

and of the protective right eventually granted thereon to act for me/us as patent attorney(s) before the Eurasian Patent Office.

The above patent attorney(s) is/are particularly empowered to carry out any legal transactions and disposals in relation to the above-specified application and the protective right granted thereon, in particular to sign any kind of applications and petitions; drawings, specifications and the like, to produce and accept samples and kind of protective documents, to pay taxes, to accept certificates of priority, decisions, Letters Patent and other protective documents, to make amendments and other alterations in specifications and drawings, to withdraw applications in whole or in part, to file appeal, to apply for extension of term, to undertake all necessary acts for the maintaining in force of the protective rights obtained during the term of validity, etc.

Дата/date

**подпись заявителя(ей)
Signature of the applicant(s)**